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COLLECTIONS

OF THE

MAINE HISTORICAL SOCIETY

SECOND SERIES

DOCUMENTARY
HISTORY OF THE STATE OF MAINE

VOL. IV

CONTAINING

THE BAXTER MANUSCRIPTS

EDITED

By JAMES PHINNEY BAXTER, A.M.

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INTRODUCTION.

THE documents in this volume have been gathered by me during many years, from the archives of Massachusetts, the office of the Public Records in London, and the Bureau of Marine and Colonies in Paris. They are not all of equal importance, and several might perhaps have been left unprinted without loss to the general student of Maine history; but when I reflected how important even trivial allusions to a subject, perhaps but the mere record of obscure names, frequently become to the special gleaner in the historic field, I did not feel willing to incur the responsibility of discarding from my collection those documents which did not seem to me to possess an interest of a marked character. My intention was, at the outset, to follow a strictly chronological method of arrangement; but some documents of an earlier date than others which had already been printed, having come into my hands while the work was in progress, I was obliged to somewhat depart from the order with which the work was begun.

I regret that it was impossible to correct my proof by the original documents, but I trust that important errors have been avoided; certainly those documents from the Massachusetts archives, which my venerable friend David Pulsifer, of Boston, has copied for me with a painstaking fidelity peculiar to the born antiquarian, should be as free from error as any such work performed by fallible man.

JAMES PHINNEY BAXTER.

61 DEERING STREET,
PORTLAND, MAINE, 1889.

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DOCUMENTARY HISTORY

OF THE

STATE OF MAINE.

*Grant to Thomas Lewis & Rich: Bonython, Feb. 28,
1629.*

To all Xian People to whome this p^rsent writting indented shall come the Councill for the affaires of New England in America send Greeting in Our Lord God everlasting Whereas King James of famous memory late King of England Scotland ffraunce & Ireland by his highness Letters Patents & Royall Graunt under the great seale of England bearing date the third day of November in the Eighteenth yeare of his Reigne of England ffraunce & Ireland &c: for the causes therein Expressed did absolutly Give Graunt and Confirme unto the sd Councill for the affaires of New England in America & their Successors forever all the Land of New England lying & being from forty to forty Eight De'g. of Northerly Lat. and in length by all that bre'adth aforesd from sea to sea throughout the Mayne Land together with all the woods waters Rivers soyles havens Harbours Islands and other Comodityes whatsoever thereunto belonging with divers Other priviledges preheminencies profitts & libertyes by sea & Land as by the said L^res Patents (amongst Other things Conteyned whereunto due Relac^on being had) more at Large it doth & may appeare Now know yee That the sd Councill for the affaires of New England in America as well for & in Considerac^on that Thomas Lewis Gentl hath already beene at the Charge to transport

himselfe & Others to take a view of New England in America aforesd for the bettering of his Experience in the advancing of a Plantacōn and doth now wholly intend by Gods assistance with his associates to Plant there both for the Good of his Majestyes Realmes & Dominions and for the propagacōn of Xian Religion amongst those infidels And in consideracōn also that the sd Thomas Lewis together with Capt Richd Bonython and also with their associates & Company have undertaken at their own pper Costs & Charges to transport fifty persons thither within seven yeares next Ensueing to Plant & inhabite there to the advancement of the Generall plantacōn of that Countrey & the strength and safety thereof amongst the natives or any other Invaders alsoe for the Encouragement of the sd Thomas Lewis & Cap^t Richard Bonython & other their associates and assignes. And other good Causes & Consideracōns the s^d Councill Thereunto moving Have Given Graunted Enfeoffed & Confirmed and by this their present writeing Do fully cleerly & absolutly Give graunt Enfeoffe & Confirme unto the s^d Thomas Lewis & Cap^t Rich^d Bonython their heires & assignes forever All that pte of the Mayne Land in New England in America aforesd Comonly called or knowne by the name of Swackadock or by whatsoever other name or names the same is or shall be hereafter called or knowne by seituatē lying and being Betweene the Cape or bay comonly called Cape Elizabeth and the Cape or bay Comonly called Cape Porpus Conteyneing in breadth from Northeast to southwest along by the sea four myles in a straight lyne accompting seaventeene hundred & threescore yards (according to the standard of England) to Every myle and Eight English myles upon the mayne Land on the north side of the River Swackadock after the same Rate from the sea through all the breadth aforesaid together with all the shoares Creecks Bays Harbours and Coasts amongst the sea within the Limitts & bounds aforesd with the woods &

Islands next adjoyning to the s^d Lands not being already graunted by the s^d Councill unto any other person or persons together alsoe with all the Lands Rivers Mines Mineralls of what kinde or nature soever woods Quarries Marshes waters Lakes ffishings huntings hawkings fowlings Comodityes Emoluments & hereditaments whatsoever with all & singular their & every of their appurteñces in or within the Limitts or bounds aforesd or to the sd Land lyeing within the same Limitts or bounds belonging or in any wise appertaining To have & to hold all & singular the sd Lands and p^rmisses with all & singular the woods Quarryes marshes waters Rivers lakes fishings fowlings hawkings huntings mynes mineralls of what kinde or name soever Priviledge's Rights Jurisdicçons Libertyes Royalties and all other profitts Comoditye's Emoluments & hereditaments whatsoever before in & by these presents given & graunted or herein meant mencõned or intended to be hereby Given or Graunted with their & every of their appurteñces & every parte & parcell thereof (Except before Excepted) unto the sd Thomas Lewis and Cap^t Richard Bonython their heires associates & assignes forever to the only pper use & behoofe of the sd Thomas Lewis & Cap^t Rich^d Bonython their heires associates & Assignes forever Yeilding & Paying unto Our Sovereigne' Lord the King One fifth parte of Gold & silver Oare and one other fifth part to the Councill aforesd & their Successors to be holden of the sd Councill & their Successors by the Rent hereafter in these p^rsents reserved Yeilding & Paying there'fore ye'arly forever unto the said Councill their Successors & Assignes for every hundred Acres of the s^d Land in use twelve pence of lawfull money of England into the hands of the Rent Gatherer (for the tyme being) of the s^d Councill their heires or Successors for all service whatsoever And the sd Councill for the affaires of New England in America aforesd Do by these presents nominate Depute authorize appoint & in their place & stead

putt William Blackstone of New England aforesd Clerke William Jeffryes and Edward Hilton of the same Gentl and Either or any of them joyntly or severally to be their true' & lawfull Attorney or Attorneys and in their name & steade to Enter into the sd parte or Porcōn of Land & other the p'misses with the appurteñnces by these presents Given & Graunted or into some parte thereof in the name of the whole and peaceable and quiet possession and seizin there'of for them to take and the same so had & taken in their name & stead to deliver possession & seizin thereof unto the s^d Thomas Lewis and Cap^t Rich^d Bonython their heires associates & assignes according to the tenure forme & effe'ct of these p'sents Ratifying Confirming & allowing all & whatsoever the sd Attorney & Attorneys or either of them shall do in or about the p'misses by vertue hereof In witnesse whereof the said Councill for the affaires of New England aforesd have hereunto caused the'ir Comon seale to be put Given the twelfth day of feb^ry Anno Dom 1629 And in the fifth yeare of the Reigne of Our Sovereigne Lord Charles by the Grace of God King of England Scotland ffrance & Ireland Defender of the faith &c :

Ro : Warwick

Ed. Gorges

Endors'd

June 28th 1631

Possession Livery and seizin had & deliver'd by the within named [Edward Hilton, Gent, one] of the Com̃coners appointed by the Lords of the Councill for the affay[res of New England, unto] the within named Lewis Gentl in the p'sence & sight of [the persons under named]

T[ho : Wiggin.]

Ja[mes Parker]

H[enry Watts]

[George Vahun]

Depositions of George Cleue and others concerning Robert Nash.

I Georg Cleue do affirme that [on or] about the 25th day of the third month last 45 that 3 of Andrew Algars men of strattons Island came to my house in a botte to borrow Scales & waits to way there fish and I questioned them about all that shutting which trubled all the people in seuerall plantations and they tould mee that m^r nash shot them & giuen them powdar to answee him againe and I allso demanded of them if they were not all drunck and they said that they were all merei. and fathar I affirme that I went & m^r tucker with mee to the howse of John Cussens & thomas smyth in Cascoe bay and about 3 leages from my howse to haue tacken there testimony Consarning Nashes slandring yo^r Jenerall Court but could not prevail with them to take ther oath they being refractory & saith that nash is in ther debt, but Confessed verbalie to vs as they had formarlly tould m^r Holland of Dorchester that nash said that the Court had doon great wrong to a pore woman about a sowe and that none Could haue Justice from you but such as were membars of the Church, and tould them they were as good liue in tyrkie as liue vnder such a goverment and tould them that there were 19 wittnesses sworne against m^r Cane y^t he being a membar Carried the mattar against the poore woman and other words to this efecte and this is in the movthes of all our malignants it being reported say they by thouse that liue amongst them and therefore is vndoubtedlie trew.

that this is there reports and as they
 affirme from nash m^r Holland can
 speak to the lick purpose and I shall
 be reddie to affirme vpon oath

who am yo^r humble Sarvant

Georg Cleue

Depositions.

Severall deposisions taken before vs Georg Cleeve & richard Tucker both of Cascoe in the pvine of Ligonía Consarning Robart nash his miscarang in our parts in the third month last 1645

Henrie Wattes of Black pwent Sworn & examined saith about the 20th of may-last being the last voyaidg that Robart nash of Boston made into our parts this deponant being about his house and about 2 myles from Strattons Iland this depo^d hard severall peces shott of in manar of a fight he supposeth about an hundre'd peces & beinge terifid therewith as well as his ne'ighbours with what Convenienne he might he desire'd to know the mattar, And being informed from Strattons Iland that nash & his Company and the fishermen of the said Iland had shot them there to home nash had giuen powder for that pvrpose to answer him and his Company out of his vessell and that they were shot of at the drinking of there healths and that they did take powdr out of Nash his barell by handfuls without othar mesure & vowed to haue the last shot of the Ilandars to home he had allso giuen powder without wait in so much that they shot so lounge that the're peces were so hott that they Could hould them no longer in their hands & farther deposeth that John Parkar of Dammarills Cove affermath that Robart nash being with him gaue & sould so much Sack to his men that nash himselfe and parkars me'n we'are all so drunke for seuarall dais togethar that his men Could not goe to Sea in the prime tyme of fishing whereby the said parkar & his Company lost 40 or 50 pounds by the misdemenvrs of the said nash.

taken the last of June 1645.

George Dearing of Blake pwent sowne & examine'd saith that at the same tyme he heerd many peces shot about Strattons Iland and vpon farthar Inquire he vndarstode that it was a drunken bout betweene nash and the Ilandrs which

putt him and his wyfe and neighbours into such a fright that they all thought that the french or othar enimyes had bin at hand

taken the day aboue said.

John Smith of Sacoe Sworne & examined saith that the same tyme he hard the peces shot of so thick that he and the rest of the people there Judge'd y^t to be a fight betwene the' french or that m^r Winters had bin taken at richmans Iland and this deponant saith he Counted 70 peces shot and then left Counting and that vpon repaire to enquire the Cause he found that nash and his Company had shot them at strattons Iland and that he allso gaue the Ilandars powder to answere him from the Iland & that nash vowed to haue the last shot and that he hard that they weare all drunck.

tacken the day aboue said.

Michell Mitton of Casco Sworne and examined saith that about the 20 of May last he hard seuarall peces shot of which he supposed had bin a fight betwene the french or that Richmans Iland m^r Wintars plant^d had bin taken and being Terrified therewith could not rest till he went to richmans Iland to know the matter & there vnderstanding that Robart nash of Boston shot them and gaue powder for that purpose to shout at the drinckings of healths and farthar saith that he hard 40 peces at lest Cascoe being no les then 3 leags of strattons Iland.

All the's sevarall deposissions weare
tacken before vs the last day of
June and the first of Julie 1645

Georg Cleeve
before vs Richard : Tucker.

Georg Lewis of Casco sorne and examined saith that Robart Nash of Boston sayd in his hereinge to tho : Wyse

who reproved the said nash for shutting so many peces at strattons Iland that he would haue shott so manie more in Cascoe bay at his Comming in there if he had had so mvch puddar left and this deponant hard nash say at his returne from the Easte the same voyage which was the first of June last. These words were heard from him vpon the Sabbath day at his returne from meeting

Tackn be'fore me

Georg Cleeve

Julie 2: 1645

Richard Tucker

Petition of George Cleeve July 3. 1645.

To the honered Governor and Depitie Governor & Court of assistants of the massechusets Collenie thes

Honored Sirs may it plesse you I haue latlie Recened from m^r Righie lettars of drection & advice to pcede in the Government of his pvince of ligonia: And becasse we ar opposed by m^r Vins & othare his Confederats that we Could not pcede' according to our instructions and being daylie threttnd & ar still in dangar of our liues & allso to haue our estats seized on by them for not Submitting to a pretended Athoritie to them giuen by sir farthinando Gorges without any lawfull Comishion & therevpon we ar in danger to be Rvened & vndon vnles the lord do move yo^r harts to pteect vs with yo^r assistance.

I do not hereby psume to direct you but humbly Craue leeve to shew myne opininion which is that if you will be plesed to writ but yo^r Jenerall lettar to our oposits to deter them from there illegall psedings and a lettar to our people of legonia to advice & incoridg them that notwithstanding m^r Vines & the rest do oppose that they may & ought to adheare to m^r Righis lawfull Athoritie, I hope you shall not nede to put yo^r selues to any farthar truble to finish the

worke, and in so doing you will mch obblidg m^r Rigbie vnto you all who would doupless haue sent ovar othar ordar at this tyme if hee' had knowne the Injvris offered him and vs—Thes lettars now Com ar An Answere of my lettars sent to him vpon my first arivall, & not of the last the of the Comishion as you may se by the date of them, I herewithall send you m^r Rigbis lettar of Request to you & allso a lettar of his to mee whereby you may see how the parliament aprovethe of his psedin and that we may expect farthar ordars forthwith, and in the Intrim we do most humbly besech you to afford vs such spedie *assistance* as the nessesitie of our psent Condishion Requireth and we shall for euar pettishion the throne of grace' for you all and rest yo^r humble Sarvants

month day
Cascoe this 5 3
1645

Georg Cleeve for & in
behalfe of the people
of Ligonias

we haue heere sent you sevarall depossions takne before vs Consarning Robart [Nash] of Boston m^r T[ucker] beinge an assistant Athorised by m^r Rigbis Comishion vnde'r his hand & sealle vntill the Jenarall Court shall eleckt there magistrates and assisters.

Deed Nic. Shapleigh to Wm Bartley June 26. 1648.

To all Christian people vnto whome these p^ents shall come Nic: Shapleigh, Merchant now Resident in new England sendeth greeting in o^r Lord god everlasting: Know yee that

I the s^d Nicholas Shapleigh for an in Condsideration of on thousand five hundred pounds lawfull mony of England to me in hand paid by William Bartley of great Saint Ellens in London Esquire whereof I the said Nic : Shapleigh doe acknowledge the receipt and thereof doe acquit and discharg the said william Bartley as alsoe for diuers othe'r good cawses and valluabl Consideations me the said Nich : Shapleigh heare vnto moueing haue graunted Barganed sould assingned and set ouer and by these presents doe fully freely and absolutely graunt Bargane sell assinge and set ouer : to the afforsaid William Bartley : all my lands howsing goods fish fishing Craft boats and all other things to the fishing trade belonging or any waise appertaing there vnto : together with all my hole estat be it reaall or personall which I now haue orr shall haue ore ough to haue in new England in america : To haue and to hould all and singlure the afforesaid primises and euery part and percel thereof with appertinances to the s^d William Bartley his heirs and assigns for euer & that the sd william his heires & assingnes shall for euer he'are after shall peasably and quietly haue hould & inioy the afforsaid primises with appertanenc^s & euery part & percell thereof wthout the le't trouble & deniall Euetion ore expulsion of me the said Nicholas Shapleig ore of any othere person ore persons whatsoever lawfully Cleaming the same or any p^t or percell thereof from by ore vnder me the said Nic Shapleigh in witnesse wereof I haue heare vnto sett to my hand & seale the 26th of June 1648

Sealed & deliuered in the

Ni⁸ Shapleigh

p^{nts} of vs

Antipas Mauereick

Humphry Chadbroun

This is a true Coppie of the originall
taken by me Basill Parker Record

*Kittery to be re'ceived under the Governme'nt of Massachu-
setts if, &c. Oct. 31. 1651.*

Whereas by the extent of the Lyne of o^r pattent it doth appear that the Towne of Kettery & many myles to the norward thereof is comprehended wth in o^r graunt, & forasmuch as this Court hath been informed that there hath bene a late indeav^r of se^uall psons thereabouts to drawe the Inhabit^{ts} of Kettery &c whoe governe now by combina^on to peticon the parlam^t of England for a graunt of the sd place, w^{ch} the maior pte of the Inhabit^{ts} refused to doe, many of them expressing their willnes rather to submitt themselues to the go^ul of the massachus^{ts}

This Court takeing into considera^on the premisses togeath^r wth y^e comodiousnes of the Ryv^r of Pask: & how pⁱnditiall it would be to this go^ul^t if the aforesd place & Ryver should be' possessed by such as are not ffrinds vnto vs hath ordered that a Loveing & ffrriendly, tre be sent from this Court to the sd Inhabit^{ts} of Kettery &c. acquaynting them wth o^r aforesd right &c & Commission graunted to A. B. C. D. &c to treate wth them & according to instruc^ons gyven to receaue them vnder this go^ul^t if tearmes of agreem^t can be concluded vpon by mutuall consent. otherwise haueing made knowne o^r right & lyd clayme to the place, to ptest agst any farth^r pceeding by virtue of their combina^on or any oth^r interest whatsoeuer/.

Mr Bradstreete major Dennison. & Cap^t Hauthorne are Commission^r. Voted by the whole Courte

31: 8 1651

^{mo} E R. s.

Voted. Mr Bellingham & m^r Simonds to draw vp the letter and Instruc^ons accordingly 31. 8 1651.

^{mo}
by y^e whole Court E R: S:

Grant to Thomas Broughton.

Sept. the 18. 1651.

By the toune of Keitere'y granted vnto m^e Thomas Broughton a sertaine trackte of land ajoyneinge vnto the falls att quamphagon as followeth bounded on the South side with a little fresh runet of watter & marke'd trees att the head of the same runett of watter Humphrey Chadburne bounds Joyne'ing vnto it South bounded on the north side with a fresh creak next vnto the samon falls & soe backwarde by the same bounds m^r Richard Leaders line goeth in to the woods.

per me Humphrey Chadburne
tounes man & recorder for
the toune of Keterey

That whear as ther is a sertaine parsell of land & fall of watter lieinge at newichewanicke & within the toune shipe of Keiterey & called by the name of Quamphagon & which was Improued by an Indian named Sagamore m^r Roules & sould by him vnto Thomas Spencer lineing att Newitchewanicke & the said Thomas Spencer sould the same parsell of land & halfe that fall of watter vnto m^r Thomas Broughton which purchase of m^r Broughton & the sale made by Thomas Spencer is aproued of to be legall by the whole toune of Keiterey att a toune meetinge there & then holden the 18 day of Sept 1651

per me Humphrey Chadburne
tounsman & recorder for
the toune of Keiterey

The Humble Petition of Thomas Broughton to the honored
Generall Court now sitting at Boston October 31. 1651

Sheweth that whereas it hath pleased this honored Court to grant unto Mr Broadstreete and Captaine Wiggin upon their petition a parcell of lands lying on the other side of nitchawannock greate river I thought it my dutie to advise this honoured Court that the land granted is the purchase at a greate rate and proprietie of your petitioner for want of information in which thing this honoured Court hath granted that which may tend to the greate daĩnage of your petitioner wherefore your petitioner humbly requests that the evidence of this my right may giue occation to this honoured Court to put a period to any proceedings on that grant to the aboue said petitioners soe shall your p'sent petitioner be Oblidged to remaine

Your humble servant

to be Coĩmanded

Thomas Broughton

The Magistrates Desire to know now the mynde of o' brethren the Deputies what they think meete to be Done concerning this Petition

Edward Rawson Secret

Voted that this petiĩcon is Referred to be heard and Determined at the nex^t Courte of Elecĩon : Ed : Rawson Secret :
31 : 8 1651 :

m̄o

The coĩnitee se cause to refer the piticion : to Douer : where we couce^d he is to rec^e that sattisfacione that belongs to hime : in answer thereto :

Simon Willard in the name of the Rest.

Protest of Commissioners of Massachusetts July 9. 1652.

In the Towneshippe of Kittery in the Province of Maine against the great Harbo^r

Whereas wee Willm Hawthorne John Leveret and Henry Bartholmew appointed Co^mmissioners as may appeare by Order from the Generall Court of the Massachusetts beareing date the 11th day of June 1652 to repaire to and treat with the gentlemen of the Eastward in the Province of Maine according to which order & Comission wee the aboue named haue repaired to, and had some conference with M^r Edward Godfrey Nicholas Shapley Richard Leader Thomas Withers and Edward Rishworth who declared themselves to be the psons in present power for the Ordering and manageing whatsoeuer might bee of concernem^t to the people of the said Province though the said psons produced noe Comission therevnto, either one or other Wee therefore the aboue named Willm Hawthorne John Leueret and Henry Bartholemew doe hereby declare vnto the Inhabitants of the said Province of Maine and to all people whome theis may Concerne that there doth not appeare to vs any power or right of power that the said Edward Godfry Richard Leader &c hath of Regiment in the said Province but that the said Province and all the tract of Land within the same doth lye within the Ly^mitts of the Pattent of the Massachusetts and soe by graunt and Charter vnder the broad Seale of England to be vnder the Juresdiccoⁿ thereof, further wee doe declare in the name & on the behalf of the Juresdiction of the Massachusetts that all the inhabitants within the said Province that shall submitt therevnto shall freely & quietly possesse and enioy all their landes goods & chattells appe^rtayning to or possessed by any or eⁿy of them haue Right & shall equally share in all acts of favor & Justice w^{ch} by vertue of Gouverne^ment any other the Inhabitants within the said Juresdiction doe or may expect to enioy vpon the p^rmisses recited we the said Commissioners of the Generall Court of

the' Massachusetts doe declare and protest against any pson or psons within the said Province their exercize of Juresdiction ouer the Inhabitants within the same or any pt thereof after the Tenth day of October next ensueing the date hereof without Order from the Generall Court or Councell of the Massachusetts In witnes Whereof Wee haue herevnto put to our handes this 9th day of July 1652./

W^m Hawthorne

Jn^o Leuerett

Henry Bartholmew.

Answer to Protest.

pischataqua : July : 9 : 52/

province of

Mayne

Where as we Edward Godfrey, Gouernor, Richard Leader, Nicholas Shapleigh, Thomas Withers, and Edward Rishworth, sworne Magistrates unto y^e prouince of Mayne, haue receaued a paper in nature of a protest from Captajne William Hawthorne Captajⁿ John Leverett, & Hen : Bartholmew, intimating to us y^t we shewed no Commission to one or other : To which we answere, If either they or thejre principles did or had showed any Commission or pouer of Coñmand from the parlament of England, or Couñsell of state we would haue giuen an account : And for thejre words of declaration to y^e inhabitants of the prouince in generall, & all people y^t our pouer to them apperes not, & we haue' no pouer of Regement, & y^t the tract of Land of all this prouince of Mayne is with in the Lymitts of the Massatusetts : Yet it doth & shall appe're y^t wheare y^e bounds we're sett many yeares past, both before & since many pattents granted for y^e propagating the Countrey, & 35 thousand pounds spent in it ; A lawfull jurisdiction hath beene exercised by some of us 20 yeares, acknowledged & owned by you of the Mas-

sachusetts: & approued & justifyd in England: & w^{as} now these Gentlemen do Come with a declaration minitory in the name & behalf of the Jurisdiction of the massachusetts, That the inhabitants y^t shall submit unto them shall freely & quietly enioy & possesse all y^r Lands, goods & chattles with equall fauors in acts of Gouverment: These proposalls are not meete in our Judgments, the place, tyme, & p^rsons Considered tends to discord, we patiently beare them, & submit to be iudged by those, whome we acknowledge to be our supreme Judges.

For y^{er} protest against exercise of Jurisdiction, we intend & resolute to proceed till lawfull pouer Comānd otherwise: In testimony w^r of, we do hereunto subscribe, at y^e day aboue written/

Edw Godfrey Gov^r

Rich: Leader

Nic: Shapleigh

Tho Withers

Ed: Rishworth

Letter Edward Godfrey to [Edward Raw]son, Secretary to the General Court of Massachusetts, July 9. 1652.

Sir

I receaued a letter bearing date 12: d: M: 4: 52) signed by your selfe w^r in we p^rceauue you are owned by the state of England, vnder the Couert of whose wings our safety doth cheefely de'pend: For your information of the Grand pattent of plymouth sued to a quo^o warranto: It noe way toucheth us: the fall of other pattents y^r by, is onely but your Conjecture, seeing y^t an act of parlament about 28: Nove^b: 48) doth seeme to euince the Contrary: For our perusall of your pattent, & line: We apprehend y^e bounds y^{ro}f were sett more than 20 years last past, at the

sea side, and soe vp into the Countrey from sea to sea 3 miles on this side Meremacke, as all other pattents were, which are not lesse th[an] tenn in Number y^t we p^{re}ceave by the extention of your nth Line, you do now endeauour to ingraspe: For subduing & clere Land: A possession is good (true but what tract immunitys & priuileg we have (is doubtfull if we part with, them we shall be straytened As for soe many yeares past you did not prohibite any for sett[ling] or procuring pattents: For our Committing either a trespasse vpon you or unaduisably to gather a Cracked title to our improuements & possessiones, I hope must be as in your letter long since you Counsell'd us, left to those whome it Concernes to determine: If this 21 yeares you haue beene Contented y^t we should gouerne by uertue of a pattent with distinct acknowledgment of our lawfull authority, & haue kept good Corresponden[cy] with us: We much maruell, how you should now be discontented which we neither haue, nor we hope shall giue you any iust occasion For resisting any pattent, or encroaching vpon yo^r jurisdiction we utterly disowne: For submitting anie pattent to you, if you haue right yrto it needed not: ffor a Considerable party of the people we know of none (two onely excepted) whose ill deportments haue been such, as the hand of justice hath borne witnesse aganst, as well amongst your selues as us: & were the Number of such p^{er}sons more Considerabl it were little Honour for you to proceed vpon such an account: For y^r pretended Jurisdiction ouer our p^{er}sones & lands not appropriated as you say: They are appropriated to us, & must not soe easily be parted with: For shayring of your fauo^rs to us (by your fauours Gentlemen) we' are loath to part with o^r pretious lybertys for unknown & uncerten favours: For Harkening to submitt to you, & your protest aganst us for any further proceedings either by pattent or Combination: We resolute to exercise our just jurisdiction, till it shall please the parlament of the Common

wealth of England otherwise to order, vnder whose pouer & prote'ction we are : For your streight line from the East sea to the west sea : I maruell you goe from your bounds to the Inland : For artists to measure your extent, in occasion, if necessity require us, we shall understand a little Geogrify or Cosmogrifie : For peace & æquity, we haue euer aymed at, & still continewed, & will to y^e uttmost of our pouters endeauor the glory of god, peace, & good of the Countre'y in generall/

Thus I rest

Y^e Lo. freind

Edward Godfrey Gou^e

Pischa : prouince of Mayne

July : 9 : 1652)

*Latitude of the Northermost part of Merrimack River Oct.
19. 1652.*

The Answer of John Sherman serj^t at Watertowne and Jonathan Ince Student at Harvard Colledge in Cambridge to Captaine Symon Willard and Cap^t Edward Johnson Commissioners for the Generall Court held at Boston May 27 1652 concerning the' Latitude of the Northermost pt of Merimack Riuer.

Whereas we John Sherman & Jonathan Ince were procured by the aforesaid Commissioners to take the Latitude of the place aboue named Our Answer is that at Aquedahtan the name of the head of Merrimacke where it issues out of the lake calle'd Winnapusseakit vpon the first of August One thousand six hundred fifty two we obserued and by obseruacoñ round that the Latitude of the place was forty three degrees fourty minutes and twelve seconds besides those minuits which are to be allowed for the three miles

more North which Rune into the Lake In witnes whereof
wee haue subscribed our names this 19th October 1652

John Sherman

Jonathan Ince

Jur coram me

Joh Endecott Goue

Civil Government to be settled at Kittery, &c Oct. 23. 1652.

Contradicentes To o^r trusty & welbeloued ffrriends A. B.
Tho Clarke C. D. &c. Whereas yⁿ are chosen Com-
Rich Waldarin mission^{rs} by this Court to settle the cyvill
Jer Houchin goūm^t amongst the Jnhabitants of Kit-
Tho Davies terry the Ile of Shooles Aggamenticus,
 & soe to the most northerly extent of
o^r pattent. Yⁿ are hereby authorized & required wth all con-
venient Speede to repaire to those pts & there, by suñions
to assemble the Inhabitants togeather in some place w^{ch} yⁿ
shall judge most couvenient, & to declare vnto them o^r just
right & Jurisdiccoñ ouer those tracts of Land, where they
inhabitt requiring their subieccoñ therevnto, Assuring them
they shall enioy equall pteccoñ & p^ruiledges wth o^r selues
ffurther wee doe hereby giue & graunt vnto yⁿ

full power & authoryty to suñon & keepe a Court
or Courts there to heare & dete^rmine all causes civill &
criminall according to the power & auctoritie of o^r Countie
Courts. to nominate & appoynet Comission^{rs} administer
oathes to them & inve^st them wth such power as y^rselues
or the Maior pte of yⁿ shall judge meete: as also to
appoynet & sweare Constables & such other officers as
y^w shall' judge needfull for the p^rservacōñ of the peace,
to confirme & settle ppryeties, to graunt p^ruiledges &
immunityes, & to se^ttle the Goūm^t. there. & ffurther to
doe & act in the p^rmisses or any thing of like nature, for the
ends aforesd (till this Court shall take furth^r order therein).

as in y^r wisdome's & discrecon yⁿ shall judge most to conduce to the glory of god, the peace & welfaire of the people there, & the mainetenance of o^r owne just rights & interest. And wee doe hereby will & re'quire all magistrates Comission's Cap^t & all othe'r officers cyvill & millitary wthin the County or Norfolke & all Inhabitants of the Ile of Shoole's, & beyond the Ryver of Paskataq wthin the Lymitts of o^r patent to be aydeing & assisting to theis o^r Comission's as they shall see cause to craue or require and in confirmacon hereof wee haue caused the Seale of o^r Colony to be herevnto affixed this 23 day of Octobr 1652.

Voted by the whole Court Edward Rawson Secret :/

Some lines of y ^e Patten ^t Cap ^t Hawth	Ri : Bellingham
Comission ^{rs} protest	Simon Bradstreete/
Courts letter m ^r Godfry's letters	Daniel Denison
the act of such as lately laid	W ^m Hathorne
downe y ^e lyne S ^r Inch &c	Jn ^o Leverett (

Notice from the Commissioners of Massachusetts, Nov. 13, 1652.

Gentlemen & frends

Whereas we are chosen & appoynted by y^e geñall Court holden at Boston in octob last to settle the civell government amongst the Inhabitants of Kittery the Ile of Sholes Aggamenticus (them soe called & now named York) & soe on to the most northerly extent of the Patent of y^e Massachusetts in order wherevnto we have addressed our selves to the two Townes before mentioned And although at our Comeing we found that they were full of questions & objeccons against our

right Yet through the goodness of god vpon full debatements & our interest clearly vnderstood as alsoe the Scope' & end in this busines namely to advance the glory of god & the mutuall strengthening of the English against any enemiss that may else more easily make a pray of vs) The said Towne's have wth free & full consent acknowledged their subieccoñ to the governm^t of y^e Massachucetts aforesaid Now gentlemen these are to signifie vnto you the Comissioñs doe intend to repaire to your parts in the Spring tyme for the ends aforesaid not Doubting but you will soe seriously consider of y^e matter & be p^rpared in the meane tyme that the said Comissioñs vpon conference with you shall finde acceptable, & ready compliance therein according to their iust demand & interest You may alsoe vnderstand that it is not the intent of the Court nor of their Commission^s to take away any mans ppriety but rather to confirme the same, as alsoe to grant what imunities & priuiledges shall appeare to be' meet. Thus comēding you to the guidance' & p^rteccoñ of y^e almighty we take our leave & rest

Yorke 13th of Novemb^r 1652./

Yo^r loving frends

Simon Bradstreete

this is a true } Samuel Symons

copy./ } Tho : Wiggin

Bryan Pendleton

We whose names are vnder written do acknowledg
our selves subject to the government of the Mas-
sachusetts Bay in New England./

W C
William Chatburne
Hugh gunison
the mark  of $\wedge$
 $\wedge$ Nicholas ffrost
Humphrey Charburne
Abraham  Cunly
Thomas  Spencer
Anthony  Emery
Reginald  Jenkins./
John  White
Thomas  Jones
Dennys  Downing
Thomas  Purston

Tho Withers
John Wincoll
John Liman
Charles ffrost
Richard $\bigcirc$ Nason
Robert  waymouth
Jhon Greene
hujbrecht Matton
Gowen Willson
Witti Pallmer
mary $\otimes$ bachiller
Jeremiah  Sheires
John  Aandrews
Robert   Mendum
Daniell Paull
Nic Shapleigh
John Hord
Daniell Davies
The marke of
Ryse  Thomas ;
John Diamunt
Thomas Spynny

X
John Bursbey

Return of the Massachusetts Commissioners.

The Returne of the Comissioners who vpon the Comission bearing date 28th of octob^r 52 directed to them (amongst others) did repaire to the Inhabitants of Kittery, & further, towards the Northward, to settle the Civell government amongst them./

By virtue of the Comission above mentioned, (the originall remayning vpon Record, in the acts of the genall Court of the Massachusetts) m^r Simon Bradstreet m^r Samuell Symonds Cap^t Thomas Wiggin & m^r Brian Pendleton repairing to Those parts & having su^moned the Inhabitants of Kittery to appeare before them they did hold a Court there Novemb^r 16th 1652./

Then whilest matters were in debate betweene the Inhabitants & the Comissioners complaint was made against one of them named John Bursly : for threatening words against the Comissioners & such as should submitt to the government of the Massachusetts

The witnesses nominate'd were Charles Frost & Michaell Brand./

The said Bursly vpon his exemina^{co}n at length in open Court did confesse the words ; & vpon his submission was discharged./*

After longe' agita^{co}n wth the Inhabitants about the wholl busines in hand they offe're'd to come vnder the government of the massachusetts pvided that the Articles & conditions

* At a Court holden at Kittery m^r Simon Bradstreet m^r Samuell Symonds Capitaine Wiggin & m^r Brian Pendleton Comissions from y^e Genall Court of the Massachusetts in New Engl: Novemb 16th 1652. |

John Bursly complained of for speaking of threatening words against the' Comissions, & such as should submitt to y^e gouernm^t of y^e Masschucetts.

a of witnesses viz Charles frost Michaell Brand
confest: And upon his submission he was discharged. |

tendered by themselves might be Received as the ground thereof: which being wholly denied by the Comissionis who tould them they must first submitt to the government and then they should be ready to afford them such priveledges & imunities as they should tninke meet to grant: wherevpon at length

we whose names are vnderwritten doe acknowledg our selves subiect to the governm^t of the Massachusetts

W C

William Chatburne

&c &c &c

The Inhabitants of the Towne of Kittery having submitted as above; the Comissionis did grant vnto them as followeth viz:

Novemb^r 20th 1652

Whereas the Towne of Kittery hath acknowlenged themselves subject to the government of &c

Subscribed

Simon Bradstred

Samuel Symonds

Tho: Wiggin

Brian Pendleton./

After this were

Thomas Dunston & Robert Mendham chosen & sworne Constables for the Towne of Kittery./ Philip Babb of hog Iland appoyted & authorized Constable for all the Islands of Sholes except Starr Iland./ m^r Hugh Gunnyson was licenced to keep an ordinary & to sell wine & Stronge water and for one yeare is to pay but Twenty shillings the Butt//

Then was granted a Comission vnto m^r Brian Pendleton m^r Thomas Withers & m^r Hugh Gunnyson to the like effect as that following granted to the gent of Yorke saving that m^r Gunnyson was only chosen & authorized as a assosiate./

The names of y^e p^rsent Inhabitants of Kittery viz :/

Inhabitant of Kittery.

A list of the names of the Inhabetanc of Cetterry

Mr Richard Leader	John Grene
Thomas Spenser	Robert Waymoth
Humphry Chadborn	Mr Ruperd Mattoun
Richard Nason	John Simmons
Mr George Leader	Daniell Pavtt
Mr John Wincoll	Thomas Spenny
Nicholas ffrost	William Pamer
John Bursly	Robert Mendom
John Hord	Mr Thomas Wethers
Abraham Conly	John Dymment
John Whight	Ryes Thomas
Anthony Emmory	Joseph Milles
Renard Jenckin	Mr Hugh Gonison
Danne'l Daues	John Andres
Thomas Dunston	Charles ffrost
Mr Antipas Mauereck	Jeremy Sheres
William Chadiborn	Mary Batcheller
Mr Nicholas Shaplegh	
William Averret	
Thomas Jones	
Dennes Dounin	

The Graunt to Kittery.

Nouember 20th 1652. !

Whereas the Toune of Kittery hath acknowledged themselves subject to the Gouvernment of the Massachusetts Bay, in New England, as by the subscription vnder their hands

bearing date the' 16th of this Instant it doth Appeare, wee the Comissioners of the Gennerall Court of the massachusetts for the setling of Gouvernment amongst them and the rest wthin the bounds of their charter Northerly, to the full and Just extent of their line haue thought meete' and Actually Doe Graunt as foiloweth viz.

1 That the whole tract of land beyond the Riuer of Piscataq northerly togethe'r wth the Ile of shoales, wthin our sajd bounds is and shallbe henceforth a County or shire; called by y^e name of Yorkshire.

2 That the People Inhabitting there shall enjoy p^rotec^on æquall acts of favour, & justice, with the rest of the people inhabitting on the south side of the Riuer Piscataq, wthin the limitts of ou^r whole Jurisdic^on.

3 That Kittery shall be and remajne a Touneshipp, & haue and enjoy the priuiledges of a Toune as others of the Jurisdic^on haue & doe enjoy :/

4 That they shall enjoy the same bounds that are cleare betweene Toune and Toune as hath binn formerly graunted : when Commissioners of each bordering Toune hath vejwed and Retourned to vs or to the Gennerall Court their survey./

5 That both : each Towne and euery Inhabitant, shall haue and enjoy all their Just proprieties, titles and Interests, in the' howses and lands which they doe possesse whither by graunt of the Toune or of the Indians :/ or of the former Gennerall Courts.

6 That the Toune of Kittery by their freemen shall send one deputy yearely to the Court of Ellec^on and that it shall be in their liberty to send to each Court two Deputies if they think good :/

7 : That all the p^rsent Inhabitants of Kittery shall be freemen of the Country and having taken the oath of freemen shall haue liberty to give their votes for the election

of the Goũno^r. Assistants and other generall officers of the Countye.

8 That this County of yorke shall have County Courts wthin them selves in the' most Comodious and fitt places as Authority shall see meete to Appointe :/

9 That euery Towneshipp shall haue three men Approved by the County Court to end smale Cawses as other the Towneshippes in the Jurisdicẽon hath where no magistrate or Comissioner Resideth.

10 : That the three shall or may haue three Associates to Asist such Comissioners as the p^resent Comissioners or Authoritje of the Massachusetts shall send and such magistrates as shall voluntarily Come vnto them from time to time./

11. That the Inhabitants of y^e County of Yorkshire shall not be draune to any ordinary gennerall Traynings out of their owne County wthout their Consent.

12. That the Inhabitants of Kittery shall also have the same priuiledges that Douer hath vppon their Coming vnder their Goũment.

13 That all such as haue or shall subscribe voluntarily as the Rest haue donne before the ending of this Courte shall haue the priuiledge' of Indempnitje for all acts of power exercised by the former Gont. vntill the protest for and in Respect of such Criminall matters as are breaches of pœnall lawes wthin the whole government. provided that Abraham Cunly hath libe^rty to Appeale in Respect of his Case wherein he was fined teⁿn pounds Ann^o. 51 :/

14 Provided Alwajes that nothing in this ou^r Graunt shall extend to determine then Ifringing of any psons Right to any land or Inheritance whither by Graunt by Pattent or otherwise' where possession is had but such titles shall be left free to be heard and determined by due Course of lawe :

Provided and it is heereby declared that nothing in this

graunt shall extend to Restrajne any Civill accon or Review for formr Ciuill Cawses which Reveiw shall be brought to any of our Courts wthin one yeere now Ensuing.

And whereas there are Certajne Debts and Imposts due to the Inhabitants of Kittery and Accomenticus and some debts which are owing from them to pticcular persons for publick occasions Itt is therefore Ordered and Agreed that m^r Niccolas Shaplejgh shall have power forthwith to collect such some or so^mes of money as are due to the aforesajd Inhabitants and pay such debts as are Justly dew from them and give an accompt thereof wthin one month to the Comission's that shallbe then in p^rsent being and if it shall then Appeare that there is not sufficyent to discharge the peoples Engagements it shall be supplied by way of Rate according to the former Custome/.

Symon Bradstreete.

Samuell Symonds.

Tho Wiggin

Bryan Pendelton

The Grant to Kittery.

Novemb^r 20th 1652

Whereas the Towne of Kittery hath acknowledged themselves subject to the Government of y^e Massachucetts in New England as by the subscripcon vnder their hands the writing whereof bearing Date the 16th of this Instant it doth appeare, We the Comission's of the genall Court of the Massachucetts for the settling of government amongst them, & the rest within the Bounds of their Charter Northerly, to the full & iust extent of their line, have thought meet & actually doe Grant as followeth viz.

That the wholl tract of land beyound the River of Piscataq

northerly together wth the Ile or Ile's of Soles, within our said Bounds is & shallbe henceforth a County, or Shire, by the name of Yorkshire.

That the People inhabiting there shall enjoy pteccōn, equall acts of favour, & iustice, with the rest of the People inhabiting on the south side of the River Piscataq, within the limitts of our wholl Jurisdiccōn./

That Kittery shallbe & remayne a Towneshipp, & have & enjoy the priveleges of a Towne as others of the Jurisdiccōn have & doe enjoy./

That they shall enjoy the Same Bounds that are cleare betweene Towne, & Towne, as hath bene form ly granted : when Comission's of each bordering Towne hath viewēd & returned to vs or geñall Court their Survey./

That both each Towne, & every Inhabitant, shall have, & enjoy, all their just pprieties, & interests, in the howse's, & lands, which they doe possesse together by grant of y^e Towne, or of y^e Indians./ or of y^e form geñall Courts.

That the Towne of Kittery by their freemen shall send one Deputy yearly to the Court of eleccōn, & that it shallbe in their libty to se'nd to each Court two Deputies if they thinke good./

That all the p'sent Inhabitants of Kittery shall be freemen, & of y^e Country : & having taken the oath of freemen shall have libty to give their votes for y^e eleccōn of y^e Governour, Assistants, & other geñall officers of y^e Country./

That this County of York shall have County Courts within themselves in the most comōdious & fitt places as authority shall see' meet to appoynt.

That every Towneshipp shall have three men approved by the County Court to end small causes as other the townshipp in the Jurisdiccōn hath where noe Magistrate or Comission resideth./

That the shire shall or may have three associates to assist such Comissioners, as the p^rsent Comissioners, or Authority of y^e Massachusettis shall send or such Magistrates as shall voluntarily come vnto them./ from tyme to tyme.

That the Inhabitants of the County of yorkeshire shall not be drawne to an ordinary geⁿall Traynings out of their owne County without their consent./

That the Inhabitants of Kittery shall haue alsoe the same priuiledges that Dover hath vpon their Comⁱng vnder the govern^t.

That all such as have (or shall subscribe voluntarily as the rest have done) before the ending of this court shall have the priuiledg of indempnity for all acts of power exercised by the former gout. vntill the p^rtest, & for & in respect of such criminall matters as are breaches of penall lawes wthin the wholl government/

p^rvided that Abraham Cunly hath libty to appeale in respect of his case wherein he was fined x^{li} Anno 51./

p^rvided allwaise that nothinge in this our grant shall extend to determine the infringing of any p^rsons right to any Lande or inhe^rritance whether by grant, by patent, or otherwise whe^re possession is had, but such titles shallbe left free to be heard & determined by due Course of lawe./

Provided & it is hereby declared that nothing in this grant shall extend to restraine any civell acoⁿ or review for form civell causes which reviews shallbe brought to any of our Courts wthin one yeare now insuyng./

And whereas there are certaine debts & imposts due to the Inhabit^{ts} of Kittery & Agamenticus, & some debts w^{ch} are owing from them to p^rticular p^rsons for publique occa^sions It is therefore ordered & agreed that m^r Nicholas Shapley shall haue power forth wth to collect such some or somes of money as are due to the aforesd Inhabit^s & pay such debts as are justly due from them & giue an accompt thereof wthin

one month to the Comission^{rs} that shalbe then in p^rsent being, & if it shall then appeare that there is not sufficient to discharge the peoples ingagem^t it shalbe subplyed by way of rate according to their former custome

Simon Bradstreete

Samuel Symonds

Tho Wiggin

Bryan Pendleton

The Comission^{rs} Doe intend [at th]eir better leisure to write alsoe the grounds & p^rceedings to the concl

*Summons to the Inhabitants of Aggamenticus Nov. 20.
1652.*

To the Inhabitants of this Towne, knowne, or called by the name of Aggamenticus, or Gorgiana, or by any other./

Whereas the Gefall Court holden at Boston, in the last month Did appoynt vs whose name's are here vnder written, as by their comission vnder the Seale of y^e Colony of y^e Massachucetts doth or may appeare; by su^mons to assemble the Inhabitants of this Towne together, in some place which we should iudge most convenient, & to declare vnto them our just right, & interest to, & Jurisdiccioⁿ over the tract of land where you inhabite, requireing their Subieccoⁿ therevnto: assuring them they shall enjoy equall p^rteccoⁿ & priviledg wth themselves: This is therefore to desire you, & in the name of y^e government of y^e Massachusetts, to require you, & every of you, to assemble together before vs at the howse of Nicholas Davis, betweene seaven & eight of y^e

clock on monday next in the forenoone, to the end aforesaid, & to settle the government amongst you: which we hope will tende to the glory of god, & to y^e pe'ace, & welfare of y^e whole. Dať 20th day of Novemb 1652./

And you m ^r Nicholas Davis	Simon Bradstreet
& m ^r John Davis are here-	Samuel Symonds
by requiard & authorized	Tho Wiggin
to warne the Inhabitants	Brian Pendleton
abovesaid./	

The Comissions being arrived at Aggamenticus (then soe called) they granted their suñons to the Inhabitants to this effect viz :

To the Inhabitants of the Towne, knowne, or called by the name of Aggamenticus, or Gorgiana or by any other name./

Whereas the genall Court holden &c &c &c Vpon the 22th of Nove'mb 1652 they held their Court the Inhabitants appeared. And afte'r some tyme spent in debatments, & many questions answered & obieccõs removed with a full & ioynt consent acknowledged themselves subiect to the government of the Massachusetts in New England: onely m^r Godfry did forbear vntill the vote was past by the rest and then imēdiatly he did by word & vote expresse his consent alsoe./

The Comissions (soone after) granted vnto them severall priveledges subscribed vnde'r their hands, w^{ch} remayne with the Inhabitants there. It was to the like effect with those of Kittery; with some addicõs which addicõs followeth viz :

²⁰ here is a list of the names of the Inhabitants of Yorke m^r Francis Rayner &c &c. Lastly there was a request of m^r Godfry & there is the answer of y^e Comissions thereto. |

Att a Court holden at a place now called
Aggamenticus, or Gorgiana 22th of
Novemb 1652 by the Comissionis afore-
said./

The Inhabitants of the place aforesaid having joyntly
acknowledged themselves subject to the governm^t of &c
&c &c

m^r Nicholas Davis was sworne Constable: m^r Rishworth
Recorder & clerke of the writts: m^r Henry Norton Marshall
John Davis was licenced to keep an ordinary./

Arthur Bragdon lievetenant: Francis Rayner Ensigne.
Jo: Davis & John Alcott Sergeants./

Then was the Comission granted to y^e gent
of York as followeth viz:

Whereas the geⁿall Court &c &c &c

Then there was a tre directed to the Inhabitants of Wells
&c a copy whereof followeth viz: Gentlemen & frends &c &c

Imperfect List of Inhabitants of York.

"An impfect list of y^e names of y^e Inhabitants of Yorke."

1 mr ffrancis Rayner	10 Hen : Donell,
2 Tho : Crockett	11 Nicholas Dauis,
3 mr Ed. Godfrey	12 William Dixon
4 mr William Hilton,	13 Ed : Rishworth,
5 Ould Goodman Lovis,	14 Phillip Hatch,
6 William Moore,	15 Ed : Stirt,
7 Jo ⁿ Harker,	16 Sampso Anger,
8 Jo ⁿ Allcocke,	17 Rice Codagone,
9 Robert Edge,	18 Jo ⁿ Dauis,
19 Rowland Young,	32 Jo ⁿ Dauis,
20 M ^r Hen Norton,	33 William Rogers,
21 George Parker,	34 Wi ^{ll} : Garne'sey,
22 Nicho : Bond,	35 Jo ⁿ Twisdale Senior
23 Jo ⁿ Parker,	36 Jo ⁿ Twisdayl Junior
24 Robert Hetherse,	37 Sam ^{ll} Allcocke
25 Andrew Euerd,	38 Rich : Bankes,
26 mr Ed : Go ⁿ sone,	39 Thomas Courlous
27 Arthur Bragdone,	40 mr Abrah : Preble
28 Wi ^{ll} : ffreathy,	41 Mary Topp
29 Robert Knight,	42 Joseph Allcocke
30 Hugh Gayle	Cap. Nuttache'
31 Wi ^{ll} : Ellingham,	mr Jo ⁿ Gouge,
	Peter Wyre,
	Ed : Wentom,
	Sylvester Stover,
	Mr Tho : Whelewright,

philip [Adams]
 gorge [Beanten]
 thomas [Dennell]

Grant to Aggamenticus.

Att a Court holden att a place now called Aggamenticus or Gorgiana 22th of Nouember 1651. by the Comissioners aforesd

The Inhabitants of the place aforesd haueing joyntly acknowledged themselues subject to the Gov^{mt} of the Massachusetts in New England the aforesd Comission^{rs} haue granted vnto them all the libertyes & preuiledges aboue specified & graunted to the Inhabitants of Kettery. & agree that the Towne now called Aggamenticus shall henceforth be called Yorke.

It. that one Court shalbe kept yearly in the sd Towne by such magistrate or magistrates & other Comission^{rs} as the geñall Court of the Massachusetts shall from tyme to tyme appoynt & for the p^{rsent} by such Comission^{rs} as shalbe authorised by the aforesd Comission^{rs} of the massachusetts w^{ch} Court shall haue the same power for tryall of causes cyvill & cryminall aryseing in the County of Yorke as the other County Courts hath in the Massachusetts Jurisdiction.

It. that such of the p^{rsent} Inhabit^{ts} as shall take the oath of freedome shalbe thenceforth capable of gyveing their vote for the choise of Gov^{no}r Assistants & other geñall officers & of being chosen to any of the aforesd places of hon^r & trust.

It. that the County of Yorke shall not be drawne to any ordinary geñall traynings out of their owne County w^{thout} their consent.

And it is furth^r agreed that the Inhabitants of Yorke & Kittery shall sett out their bounds betwixt them wth in one yeare now next ensueing otherwise it shall be done by Comission^{rs} appoynted by the geñall Court, & the head lyne of Yorke bounds into the Country shalbe in a straight lyne by the southeast syde of a certaine pond aboute 2 myles into the Country beyound the northerly branch of a certaine marsh nowe impued by some of the Inhabitants of Yorke &

soe to the devisions lynes betwixt the Towne's before mentioned, & if it soe fall out that any pte of the marshes now reputed to belong to Yorke & impued by the Inhabit^{ts} thereof shall fall wth in Kettery bounds yet the ppriety of the sd marsh shall belong to the *Inhabitants of Yorke* to whome it is graunted and if any of the lands or marshes now reputed to belong to Kettery & impued by any of the Inhabit^{ts} shall fall wth in the bounds of Yorke yet the ppriety of the sd land or marsh shall belong to such of the Inhabit^{ts} of Kettery to whome it is graunted.

Writing tendered by Mr Godfrey Nov. 22. 1652.

This was tendered to the Co^mmission^s by m^r Godfry & their answe^re followeth./

Whereas wee whose names are here vnder subscribed being appoynted Co^mmissioners from the Generall Court mattachewsets to settle the Estern parts vnder the Gouverment of the Mathechusets by power from them deligated to vs finding that m^r Godfrey of Agamenticus hath not onely binne first planter in the sayd Riuer liueing here Twenty one yeares long before and euer a great funderer for ppagating and popelating the Country in general to his great charge and payments procured a pattent for him selfe and euery assotiate for this Riuer which by the petition of the inhabitants and order of Court was divided amongst them as by it and the diuidants apeare: 11: years past vpon which diuidents of his and his owne assotiates he hath settled diuers of his seruants vnto whom he was and is bound to giue 50 acres a man and diuers other ffamilies as by his patent he might: 15 ffamilies allready settled and diuers of his aliants are to come thither to setle for these Considerations and

others there vnto moueing doe ratifie and Confirme vnto him and his owne Assotiates there ayres and Execators for euer all such lands and diuidents as were ether deuided possesed and apropriated to him or them ratifying and Confirming the same and what lands or hereditarments by vertue thereof or by his wright he hath alienated giuen or disposed of for any seruises or reseruations and his grant we hold good and valewed without any molestation from the Jurisdiction of the Mathechusets and these we ratifie and confirme to him and his Eyers giuen vnder our hands 22 Nouember : 1652 :

Answer.

Though we cannot subscribe to this wrighting of m^r Godfry because we have not certaine knowledg of what is alledged nor time at present regularly to examin the mater yet we thought meet to expres our desires that neither m^r Godfry nor any other may be injured nor suffer any damag by reason of his Charge of Gouverement and for such lands as were orderly diuided and layed out to him and his particular assotiat^s before they were apropriated to or improued by any other we think it but equall that he and his Eyers should in Joy the same for euer notwithstanding if our desire and present thoughts giue not sattisfaction to any that it may Concerne we leaue it to be determined by a due course of Lawe

Yorke noue^{er} 23 152 ;

A Coppy { Simon Bradstreet
Samuel Symonds
Tho : Wigginn
Brian Pendleton./

Civil Government Settled in York. Nov. 23. 1652.

Whereas the geñall Court holden at Boston in octoʒ last hath appoynted & authorized vs whose names are vnder-written to settle the Civell government in this place; now called Yorke, in County of Yorkshire as by their Coñmission vnder the Seale of this Colony Dat 28th of the foresaid octoʒ doth or may appeare we therefore the sd Comission^{rs} wth the free & full consent of the Inhabitants of the said Towne have & hereby doe constitute & appoynt the right Trusty m^r Edward Godfrey m^r Abraham Prebble m^r Edward Johnson & m^r Edward Rishworth Comission^{rs} invested wth full power & authority together wth one assistant of the government of the Massachusetts to keep one County Court yearly att Yorke, & Every one of these Comission^{rs} hereby have magistraticall power, to heare & determine small causes like as other magistrates that are assistants have, whether they are of a Civell or of a criminall nature. Alsoe power is hereby given to any three of y^e said Comission^{rs} assembled together betweene the County Courts, to heare & determine (without a Jury) in the sd Towne any Cause not exceeding ten pounds: any of the Comission^{rs} may grant suñons or attachmments & execucōns if need require. Any of y^e said Comission^{rs} hereby have power to examine offenders to Comitt to prison vnles bayle be given & taken. Alsoe each of these Comission^{rs} have hereby power when they shall judge needfull to binde offenders to the peace or good behaviour. Alsoe Marriage shalbe solemnized by any of the Comission^{rs} according to lawe. Alsoe the County Court shall appoynt a Shire Treasurer to whome fines & matters of y^e like nature are to be accounted & paid for the vse of the County. Alsoe any of y^e said Comission^{rs} may minister the oath to such of the p^rsent Inhabitants as shall desire to be made free. Alsoe two of these Comission^{rs} may till other order be taken grant or renew licences for ordinaries or sell-

ing wine or stronge water. Alsoe two of the said Comissions hereby have authority to impower military officers vnder the degree of a Captaine. Alsoe power is hereby given to two of y^e said Comissions & they are required to injoyne the Towne of Yorke to peure the books of lawes & such alsoe as are not as yet printed & enacted since the last booke came forth in print, & it is intended that both gran Juryes & Juryes for triall shalbe sumoned for the County Court out of Yorke & Kittery p^pconably. Gyven vnder our hands at Yorke this 23th November 1652

	Symon Bradstreet :
This is a }	Samuel Symonds./
copy }	Tho Wiggins
	Brian Pendleton

“ A Coppy
of y^e Comission to y^e
gent
at Yorke ”./

No 2

Return of the Massachusetts Commissioners Nov. 23. 1652.

The Retourne of the Comissioners who vppon the Comission Graunted by the gennerall courte bearing date 28th of October 1652 viz. m^r Symon Bradstreete m^r Samuell Symonds Cap^t Thomas Wiggins and m^r Brian Pendleton In Order to their Comission Repaired to those parts : at their Arivall at Kittery, they Sumoned the Inhabitants to Appeare before them

To the Inhabitants of Kittery.

Whereas the gennerall Courte holden at Boston in the last month did Appointe vs whose names are heere vnder

written, as by their comission vnder the Seale of the Colonie of the Massachusetts doth or may Appeare, by Symons to Assemble the Inhabitants of this Towne together, in some place which wee should Judge most convenient, and to declare vnto them our Just right and Interest to, and Jurisdiçcō ouer, the tract of land where yo^w Inhabitt, requiring their subjection therevnto, Assuring them they shall enjoy equall ptection & priuiledge wth themselves: This is therefore to desire yo^w & in the name of the government of the Massachusetts, to require yo^w and euery of yo^w to Assemble together before vs at the howse of William Eueret betweene seuen and eight of the clocke in the morning the 26th of this p^sent Nouember to the end aforesaid, and to settle the Gouvernment amongst yo^w which we hope will tend to the glory of God & to the peace & welfare of the whole. Dated the 15th Nouember 52 & signed Symon Bradstreet Sam: Symonds. Tho Wiggin & Bryan Pendleton.

Att the time appointed the Inhabitants Appeared. a Court was held.

And whilst matters were in Debate betweene the Inhabitants and the Comissioners complaint was made against one Jn^r Bursly for vttering threatening words against the Comissioners and such as should submitt to the Gouvernment of the Massachusetts. Michaell Brande & Charles frost were witnesses against y^e said Bursly:

The said Bursly vpon his examination at length in open Court did Confess the words, & vppon his submission was discharged.

After long Agitacōn wth the Inhabitants about the whole business in hand they offered to Come vnder the Gouvernment of the Massachusetts Provided that the Articles and Conditions tendered by themselves might be Received as the grounds thereof, which being wholly denyed by the Comissioners who tould them they must first submitt to the Gov-

ernment and then they should be ready to Affoord them such priviledges and Immunities as they should think meete to graunt: wherevppon at length they did submitt as followeth: /

Wee whose names are vnder written Doe acknowledge ou'selves subject to the Government of the massachusetts bay in New = England = /

Tho Withers

Jn^o Wincoll

m *W C* chadborne

Hugh Gunnison

Thomas *S* Spencer

Thomas *J* Durston.

Rob^t *R M* mendam.

Rise *T* Thomas

James Emery

Xⁿ Christian Remeth

Niccolas ffrost.

Charles ffrost.

Humphry Chadburne

Abraham **F** Cunly

Richard Nason

Mary *⊕* Bayly.

Daniell Paul:

John Diamont.

m^r George Leader

Jn^o Symons

Robert *6* weimouth

John Greene

Hughbert Mattoone

Gowen Wilson

William Palmer

Jeremiah^h Sheires

John Hord

Thomas Spinny

Nath Lord.

Joseph Mile

m^r Niccolas Shapleigh

Antho: *m* Emery

Reghnald *V* Jenkins

John *N* White

Tho: *—* Jones

Dennis Downing

John *?* Andrewes

Daniell Davies

Phillip Babb

m^r Antipas Mauerrick

W^m Euerett

Protection granted to Mr Nicholas Shapley, Nov. 24. 1652.

Whereas the geſſall Court holden att Boston in Octobr last graunted Mr Nicholas Shapley pteecon for one yeare freely to come into the Jurisdiccon of the Massachusetts & to returne to his owne howse wth out molestacon

We the Comissioners appoynted by the sd Court to settle the cyvill goſum^t att Kettery &c. vpon the request of the sd m^r Shapley haue thought meete & accordingly graunted that noe former judgem^t or execucon formly obteyned by any creditor in any Court of the Massachusetts agst the sd m^r Shapley shalbe of force against his pson for one yeare from the date of the sd pteecon notwth standing the place of his habitacon is wth in the Jurisdiccon of the massachusetts, nor agst any of his lands or estate except they be found in some place that att the tyme of the sd judgem^t granting was vnder the exercise of the Jurisdiccon of the Massachusetts aforesd. pvided neuertheles that this previledge & pteecon nowe graunted shall not barr or lett any pson w^{so}euer from suing or recoſing by lawe any debt due by bond bill or otherwise from the sd m^r Shapley vpon a newe accon eith^r in the County Court of Yorke or Kettery or wth in the Jurisdiccon where any such creditor may inhabit, his pson still to be free from restraint for the tearme aforesd, Gyven att Kittery vnder o^r hands this. 24th Nov^r 1652.

Vpon the returne of y^e Comissionis from Yorke to Kittery.

m^r Hugh Gunnyson was licenced to keep an ordinary : & to sell wine & stronge water :

and for one yeare to pay but Twenty shillings the butt./ Philip Babb of Hogg Iland is appoynted & authorized con-

stable for all the Ilands of Sholes, which belonge to the Towne of Kittery which are all but that which is called Starr Iland.

Thomas Dunston & Robert Mendham sworne Constables at Kittery.

Petition of Inhabitants of Kittery to the Parliament of the Commonwealth of England, Dec. 20. 1652.

To the most Hon^{ble} the high Court of Parliament of the Common wealth of England & Counsell of State thare.

The Humble remonstrance & Petition of the Inhabitanee of Kettery vpon the river of Paskataquake within the p^rsinets of the pattent of the Massathusets./

Humbly sheweth that in Anno 1651 one m^r Richard Leader intruded himself amongst vs by such as had noe Just power to dispose of o^r lands; & tracte of land tymb^r & other privilidges that was form^{ly} improved by Cap^t Mason of london & his heires with some others & after hee was settld amongst vs by his power & greatnes hee deprived some of the inhabitants of their just rights & possētions & by his pollecie & subtilly Caried Matters amongst vs as hee pleased to the p^rjudice & disturbance of the inhabitanee heare & at se^{ll}all times would haue drawne vs to haue petitioned for such gouern^t as wee desired not to bee sett ouer vs. wharby wee Evidently sawe his Cheefe Ayme was to gett the gouern^t ouer vs into his owne hands & soe to tryanize ouer vs as appeares by se^{ll}all of his practises & speches one or two wharof wee humbly p^rsent vnto yo^r hon^{rs}, of which thare is suffitient wittnes some of whose hands are hearevnto subscribed. viz. once (that is to say) a

Company of rogues ; if hee could gett them vnder (meaning the people heare) hee would rule ouer them & keepe them vnder & when m^r leado^r & those that joyned with him found noe way to bring to pass theire owne Ends then hee the s^d leader & others for him presed vs to take the ingaigm^t which wee ware allways willing to doe, but fearing hee intended to make some other vse of o^r hands for his owne advantage then hee p^rtended wee alittle demured. wharvpon hee threttned vs that wee should bee p^rclaymed Enemyes to the State of England, & to haue no benyfitt of the law, soe out of o^r loyalty to the State of England wee subscribed o^r hands to the ingaigm^t which hee hauing gotten, wee are informed hee intendeth to make vse of by way of petition for vs which wee neuer desird nor intended that hee should doe Our humble request tharfore to this honorable parlament is that if the s^d m^r leader or any other what soeuer should petition for vs or in our names that himselfe or any other may haue power of gouern^t ouer vs that it may not be granted, wee finding the place whare wee inhabitt to bee within the line of the Massathusetts pattent to whose gouern^t wee haue subscribed & desire Euer soe to remaine, with reference to the honer-

able high Courte of the parliment of England In Spetiall/
Dated this 20th of Dese^m 1652.

Humphrey Chadburne

Nickolas *N F* Ffroste

Abraham **F** Cunley

Charles ffrost

Christion Ramay

Thomas *E* Spencer

Richard **O** Nasson

William *W C* Chadburne

Thomas *t →* Jones

Daniell *D* Douneinge

Anthony *A* Emerie

James Emerie

Renolds *R* Jinckins

John *(D)* white

John *3* Andres

Jeremy *R* Sheares

Nathan *+* Lorde

Hugh Gunison

John Wincoll

Robert Waimoth

henary

Thomas Spinny

Joseph Mason Agent

for m^rs Ann Mason

of London widd

Petition of Hen. Jocelyn & others.

To the Hounored Gouverno^r Deputy Gouverno^r wth the
rest of the Houn^{ed} Asistants & Deputies of the
Gennerall Court for y^e Massachusetts Collony.

Hounord Gent^m wee being sencible of a woe pronounced
against a Citty established by Inniquitie & y^t the Ephraim
placed on his owne basis shallbe established there: Being
by this Court & Authoritie thereof Commanded to sursease
from all claime & exercise of Jurisdiccōn in your parts in
pretence notwthstanding Gods great dishonour & our great
damages in this Interim for want of Ordinances did yett
suspend all exercise for the prevention of yo^r discontents, &
of all Civill Hostillitie amongst our Nation having Attended
you^r flurther proposalls in this concernment we haue only
Rec^d a certaine Comānd from the County Court of Yorke
requiring our Appearance & obedience vnto that Court
which wee conceaving as we directly de[rive] from your
power we did for the major part forbear our Appearance,
only by letter requesting them that we might give to, and
receive Answer from your selves, wherevnto in Curtesy
they Consented, Comanding vs by our selves or Attourneies
to Attend your pleasures & the Issue of this Court or other-
wise definitively wee must be Includer & Concluded as your
subjects; That wee may shew no vnciuill Contemptuosnes
to any Court that may Gennerate the Comōn peace wee haue
therefore Impowred Our Beloved ffreind m^r George Cleaves
& such as he shall choose Agitators in our steed to personate
vs & them selves before yo^w, to Attend your motions & Act
in our behoofe According to such Instructions as are by vs
given vnto them; the product whereof wee will Attend vnto
desiring & praying that Equitie may be by yo^w & them
attained, that so the fture progresse of our estate & Con-
dicōn may receā: a Blessing:/ Therefore wee declare our-

selves as no way Byassed to repelle, oppugne or deny yo^r Just Interesses wth vs or ouer vs, According to due legall processe & evidence so we hope yo^w will not Compuls vs, Contrary to right & equity if it so Appeare that sinfully to desert from ou^r Injoyments made ours by divine providence & Confirmed vnto vs by Supreame Authoritie & Administracon prescribed, also by Continuance of time, and Connived at) if not allowed vnto vs by yourselves as will be farther demonstrated in ou^r Instructions.

Our Requests vnto yo^w are p^resented viz that ou^r Agitator in person and personally may be by yo^w secured from any molestation in Lawe, or otherwaies from any person or persons vntill they retourne to vs: with the Result of this theire Agitancy :/

2^{ly} That yo^w will vouchsafe vs the hounor to Appointe a Convenient Committee of both you^r howses Respectively, as fully experienced in the fundamentalls of your Claime & Intencons to vs ward who may be Impowred by yo^w to Confer with Informe Evidence & graunt vs on you^r part, as also to heare examine & Attend to such Instruments by vs to be produced that may or at least may seeme to maintaine ou^r Immunity from such you^r Claime: Wee desire farther that such ou^r Instruments may be secured, & by our said Agitator to be Retourned vs wth out detaynure or violation and that according to this Agitation: a due report may be given: In vnto you^r whole body to consider of the whole matter, that wee may so obtaine a declar^o of you^r vltimate purposes ou^r Request also is that yo^w would Consent if meete either that this ou^r manifesto may in its Originall be Redeliuered vnto ou^r said Agitator or else that a full Coppy thereof may be forthwith given them vnder the Attest of yo^r Court. flfor

all which ffavoꝛs wee shallbe duly thankfull vnto yo^w & pray
for./

Henry Watts

Hen : Jocelyn :

Rich. X Martins

W^m Smith.

Rich. ffoxwell

Andrew *A* Augu^{rs} m^rke

Arthur X Angu^{rs} m^rke

Roger *R* Vickary m^rke

Petition of Henry Boade. May. 6. 1653.

Right Worsh^p^l

when the letter of yo^r Commissioners touching the clame
w^{ch} you layd to our Easterne parts, came into my hands ; I
could no lesse than admire gods goodnes towards us, & in
speciall in this clame of yo^{rs} as an argument y^{of}, to those
our weake & scattered societys : Indeed, for the places of
our Cohabitation, are little inferiour for co^modiousnesse to
other places, thoe somew^t remote, our nakednesse cheefly
appears in the want of a strong & godly Go^dent : the
absence w^{of} occasions unruly spirits amongst us to appeare
in much disorder, tending as much to the great discoura-
gement of the ministrey, as to our owne disquietnesse, wch at
p^rsent we are altogeather uncapable to p^ruent ; Therefore y^t
wch I would earnestly desire at your worships hand is, y^t as
your Go^dnt : hath layd a clame to us, soe y^t with as much
Conuenient speede as you can you would be pleasd to bring
the businesse to some issue : some app^rhend mr Cleaues his
returne to his seat againe, or rather desire it, my selfe &
others are desirous, y^t your acceptance of us might p^rsuant
those expectations : I would not p^rsume to direct, but would

humbly thus fare entreat, y^t in case your more weighty occasions, should still interpose matter to p^ruent the speedy affecting of this busines, I could desire you would be plesed to giue pouer unto some of o^r neighbours, such whome your wisdoms shall thinke fitt, w^{ch} are not ignorant of our standing, to expidite this businesse, wch being affected we hope will tend to gods glory & our peace, thus with my seruiss p^resented to your selfe & mis Endicott, Co^mending your selfe wth your weighty occasions to the Lord I rest

May: 6: 1653:

Yo^r worships to be
Co^manded in the
Lord,
Henery Boade

The magistrates Desire, that this may be first taken into consideratioⁿ by o^r brethren the Deputies who know the place & condicōn of the psons. & accordingly That there may be Co^mission granted to such as may further that busines: if o^r brethrē the Deputies consent heerevnto./

Edward Rawson. Secret.

the Deputyes desire this may be Issued at a Conference

William Torrey Cleric.

The magis^{ts} consent to a Conference

Edward Rawson Secret.

Petition Tho^s Whelewright in behalf of the Town of Wells.

Worshipfull mr bellingham my humbell saruu^s presented vnto you by the importveny of some of our nighbours i haue mayd bould to trybell your worship w^t thes fve lins wh ar to [ask] you to take in to y^r seruous considartione the sad Condishon that the toone of Wels & the other plaseis agasant now stand in at present for lack of good govverment which thay hoped thay shovld have injoyed before this but thar hope hath benne so defered that it hath mayd ther harts sicke onely thay conseve that more weighty ocasons hath bene the case of the [delay] ther humebell desier is that y^r worship would be plesed to hasen the Commissioners Coming to vs left in so long an intrim of time something might inconvene which might hender vs of that which we hope will conduse for our well being in this life as namely good government from your selefes the efecting of which is the harty desier of those which ar the efected amongst vs

So prays he likewise that is at your saruus

Thomas Whelewright

May 11

1653

In Answer to the requests of y^e gent exprest in these tres the Deput^s Judge it meete that majo^r generall Denison Cap^t Wiggan m^r Brian Pendleton m^r Godfry & m^r Nicholas Shapley be Intreated & appoynted to be co^mission^rs to pfect & effect what is yet vnaccomplished in reference to theire desires for the settlement of those y^t are lately brought vnder o^r govverment

Voted by the Deput^s who desire the Consent of o^r honord magis^{ts} hereto

William Torrey. Cleric.

Remonstrance of the Inhabitants in Piscattaqua, &c.

To the much honoured Generall court at Boston y^e 18th of y^e 3^d 1653.

The humble Remonstrance of the Inhabbitants in Piscattaq & y^e Isles of Showles
Declareth.

That wee the abovesaid Inhabbitants being lately awakened to apprehend our Immanent dangers for want of some necessarie meanes to withstand any forraine forces & being not vnsensible of the considerable trade both of fish & timbers Exportable amongst vs, as well of the needfull supplies from beyond Seas produced to the Contrie thereby, withall uaigning amongst our selues, how easilie the aforesaid places may be fortified by vs, as well as our adversaries, in case they may possesse the same, alsoe considering that the naturall situation of the places being such, as without so great charges to the contrie the same may be well accomlisht. Wherefore for such like reasons induceing, wee thought it our dutie to informe this honoured generall Court of this our condition, with respect to the publick good, and also humblie to make request that yee should be pleased to consider of our desires, as that wee may be timely well fortified, against any forraine assaults that may be attempted, & insomuch as these may be defective to lay downe our estate yee may then be pleased to take a more perticular Relation thereof, from our beloved Deputies there present, & although wee as yet, are but few Inhabbitants in this River, & alsoe low in estates yet notwithstanding wee shall endeavour to beare part of the Charges according to our abilities, & that with all submission to your mature deliberations, your selues beeing apprehensiuie how much the publick may be heerein concerned, wee humblie therfore take our leave with a continuance of our petitions to the throane

of grace for all sutable good,
the Consent of the rest

And wee subscribe with

ffor Strabery-Banke	{	Brian Pendleton
		Richard Cutt
for Kittery	{	Tho : Withrs
		Nic : Shapleigh
for y ^e Isles of Showles	{	Rice Cadogen
		Phillip Babb
for Dover	{	Richard Walderne
		Hatevill Nutter

In answer to this Remonstrance The Deputyes Conceiue that in regard of Inability for p^rsent to satisfy the desires of the p^{er}sons Concerned herein as also they no way Contributing to any such Charge amongst o^r selues we thinke they may Rest satisfied for p^rsent, & for time to Come we shall be Ready to afford such helpfullnes to the Remonstrants as Justice shall require expectinge from them what others vnder o^r Jurisdiction ar subject vnto.

William Torrey Cleric.

Wee conceiue that the Peticōn^{rs} shold haue fowre Gūns by order of the Surveyour Gen^ll. Pro- uided the Peticon^{rs} shall fetch them & Allso mount them at their own charge wthin three months next after they shall be Appointed & deliuid to them, or els shall returne & redeliu^r them to the Surveyour Gen^ll or his Deputie vpon demand of the same, at such place as he shall Appoint.

Daniel Denison

Jos : Hills

Edw Johnson

Petition.

To the much honoured Court held at Boston y^e 18th of y^e 3^d 53.

The humble petition of the Inhabbitants in
the Isles of Showles

Sheweth

That whereas wee the said Inhabbitants liveing so remote from the neighbour-townes vpon the Maine, and having thereby allready sustained much wronge through want of a power deputed amongst our selues to help, whom it may concerne to their due Debts, and findinge alsoe by vnsutable wind & weather that wee cannot (vpon occasion) visite the Cour[t] that wee might enjoy the benefitt of the Law, to recover our owne, in a way of righteousnes. Wee therefore vpon such like reasons, doe think it our dutie to make petition to this much honoured generall Court that you mought be pleased, to take our condition into your serious and sage consideration, & to grant vs the previledge of a Townshipp as farre as your wisdomes shall thinke vs capable, as that we may have amongst vs a Clarke of the writts, & some others authorized to have the hearing & issueing of such causes as may fall out, vnder the summe of Ten pounds wee finding as wee suppose vnder your favour, more neede of such a previledge then our neibour-townes, forasmuch as some of our transient ones, as it may fall out, they cannot tarrie vntill their causes may be issued elsewhere. Alsoe, may it please this honoured Court to take notice that our situation is such, as many times wee necessarilie shall not be able to Joyne with our neibours in militarie affaires, through vnseasonrble weather, without great hazard or damage to our selues. Our request is therefore, that you would be pleased to make vs a distinct company in that respect, wee being vpwads of a hundred men at this time, & that our loving friends John Arthus Lieut: & Willia^m Seely Ensigne

so chosen amongst vs, to beginne that service, they mought be instaled into such places, for the benefit of the rest, according to your order. Thus, wee nothing doubting, that yee will be pleased to pass by any of these vnsutable expressions, & grant vs whatsoever your discretion shall see mostly conducing to our best good. Wee (for your fatherlie ceare allready enjoyed, & yet expected) doe account our selues in bounden dutie to be ready, to doe you any service to our abilitie, & to make supplications yet in your behalfe, for the further influence of the holie ghost vpon your hearts, in those approaching & all after agitations, for his owne glory, with his churches wellfare. Wee now humblie take our leave, & subscribe in the name, & with generall consent

Hercules Hunkins

Rice Cadogan

Samuell Jewell

Rice Joanes

William Sealy

William Vren

Peter Twisden

John bickford

John Bretnell

John fabines

John Arthor

Edward Smale

Benjamin Bickford

Phillip Babb

Peeter Gee

Walther Mathews

Richard Sealy

Houmphry Horewell

Matthew Giles

George Sealy.

The Deputyes thinke meete that the petition^{rs} be graunted liberty of determining Civill actions which shall concerne them, where either one or both partyes are inhabitants & taken there to the value of ten pounds, & that m^r Brion Pendleton m^r Nicholas Shapley Hercules Hunkins Richard Seely & Phillip Babb be Comission^{rs} for such cases, & y^t they or any three of them m^r Pendleton or m^r Shapley being one may here & determine all such cases legally brought before them according to law till this court take further order therein, & for settleing of the military officers & Company The Court hath already p^rvided in that case in their

order for toe settling of the militia made Anno 1652 which giues the Chief officers of euery Company power to act herein & for Clark of the writts none being p^rsented its left to the discretion of the Com^{is}sion^rs afforesd or the major pte of them to appoynt a meet man for y^e service till the Court take further order therein Voted by the Depu^{ts} who desire the consent of o^r honrd magis^{ts} hereto

William Torrey Cleric.

The magis^{ts} Consent heereto

Edward Rawson Secret.

A copy of y^e entry of y^e Acc^on

M^r Joseph Mason Agent, or Attorney of m^s Ann Mason of London y^e sole Executrix of Cp^t John Mason, plaintiff ag^t m^r Richard Leader defend : in an accoⁿ of trespass vppon y^e case for building, & erecting certaine houses on o^r lands att Newitchewanicke in y^e province of Maine & for disposing of o^r goods wth out licence, & for cutting downe o^r timber there to erect a saw mill in o^r antient possessed place wheron wee formerly began, & doe intende to pceed in y^e like worke im^{me}diately

Vera Copia p me Tho : Bradbury rec.

A coppie of y^e Attachem^t.

To y^e Marshall of Hampton or his Deputie. By vertu herof you are requiered to attache y^e goods or for want therof y^e body of m^r Richard Leader, & to take bonde of him wth suffitient suertie or suerties to y^e vallue of one thousand pounds so as hee may psonally appeare att y^e next Court held att Salisbury to answer y^e complaint of m^c Joseph Mason y^e agent or Attorney of Cp^t John Mason, plaintiff in an accoⁿ of trespass vppon the case for building

& erecting certaine houses vppon o^r lands att Newitchewanick in y^e pvince of maine & for disposing off o^r goods wth out licence, & for cutting downe o^r tymber there to erect a Saw mill in o^r ancient possessed place wheron wee formerly began, & do intend to pceed in y^e like worke imēdiately herof faile nott, & to make a true returne hereof vnder yo^r hand Dated y^e (2^d) of y^e (10th) m^o (1651)

by y^e Court Robert Tucke

Vera Copia p me Tho : Bradbury reē.

Know all men by these p^esents y^t wee Richard Leader & Richard Cutts both of gent do binde o^rselues o^r heires & Executo^{es} to Tho : filbrick y^e marshall of Hamptons deputy in a thousand pound vppon condicoñ that y^e sayd Richard leader gent : shall psonally appeare att y^e next Court to be holden att Salisbury to answer m^e Joseph Mason y^e Agent or Attorney for m^s : Ann Mason of London in an accoñ of trespass vppon y^e case accordingly as in y^e Attachem^t is more fully expressed, & to abide y^e order of y^e court therin & not to depart without licence :

In witness wherof wee haue hervnto sett o^r hands this (i2) of y^e (i0th) m^o : (i65i)

John Webster

Rich : Leader

Rich : Cutts

Vera copia p me Tho : Bradbury rec.

A coppie of y^e court Order.

In y^e case of m^r Joseph Mason plaintiff ag^t M^r Richard Leader defend for a trespass done vppon certaine lands lijng att Newitchewanick, the defendant pleading the accoñ nott beeliong to y^e cognizance of this court because y^e cause of y^e accoñ doth nott arise wth in the Jurisdiccoñ of this court ; and y^e plaintiff on y^e contrary affirming & pleading y^e accoñ to belong to y^e cognizance of this court : And this court

takeing notice of a co[m]mission granted by y^e last gen^l: Court to select members of y^e sayd gen^l: Court to treat & order concerning certaine lands lijing to the Eastward, wherof wee are informed this to bee a part as supposed to be wth in y^e line of o^r pattent. This Court therefore (the p^rmisses considered) thinke meet to referr y^e consideracon & determinacon of y^e case to y^e next gen^l: Court, and doe order y^e pties to attend their cause the (3^d) day of y^e first Sessions of y^e sayd court att one of y^e clock in y^e afternoone :

Vera Copia p me Tho : Bradbury rec :

Bee it knowne vnto all men by these p^rsents that wee Joseph Mason Agent to m^s Ann Mason, & Thomas filbrick se[n] of Hampton doe binde o^r selues o^r heires, Executors Administrat^{es} & Assignes vnto Robert Tuck clarke of y^e writts for Hampton in y^e behalfe of this govern^t in y^e full & intire some of tenn pound vppon condicco[n] that y^e sayd Joseph Mason shall p^rsecute his acco[n] in y^e behalfe of m^s Ann Mason of london ag^t m^r Richard Leader such costs as y^e court to bee holden att Salisbury y^e (2^d) (3^d) day of y^e next (2^d) m^o shall allow vnto him att w^{ch} court y^e sayd acco[n] is to bee tried as by y^e attachm^t bareing date y^e (2^d) of y^e (10th) m^o (i65i) doth appeare to y^e p^rformance whereof wee haue herevnto sett o^r hands this (2^d) of y^e (10th) mo : (i65i)

Joseph Mason

The marke of  Tho : filbrick se[n].

Vera Copia p me Tho : Bradbury rec. .

The Deputyes haue Chosen Capt. Leuerett Capt. Johnson & m^r Joseph Hills to be a co[m]ittee to Joyne with some of o^r Ilonord magists which they desire may be Chosen to heare & examine the Case betweene m^r Joseph Mason & m^r Leader

& to make returne thereof to the Court & desire the Consent of o^r honrd magists hereto.

8 (7) 52

William Torrey Cleric

The dep^t Go^{dn}o^r & m^r Symonds is Appointed to Joyne wth this comitte^e :

Edw : Rawson Secret.

The magistrates thinke meete to heare this case betweene m^r Mason & m^r Leader, at one of y^e clock in the after noone. with reference to y^e consent of o^r brethren the Deputies. .

Jo : Endecott Go^d

The Deputs Consent herevnto p^{ro}vided that all partys whom it Concernes be ready for to haue the Case heard

William Torrey Cleric.

Wheare as Ann Action of trespas was Commenced : by Joseph Mason Agent of mis Ann Mason of London plaintiffe against m^r Richard Leader defendant for trespas doun vpon theyr Lands att Newichwameck and brought heather to Boston the last yeare att the generall Cort of Ellection Ann^o 1652, and thare Referred to the first sessions of this Court houlden in Ann^o 1653 it is now the humble Request of vs Joseph Mason and Thaddeus Riddan Agents of the plaintiffe & defendant that the Determinatō of the actio may be Respeted vnto the next sessions of this generall Court and then to bee tryd to w^{ch} agreement wee haue here vnto Subscribed our hands the 27th may 1653.

Joseph Mason

Thaddeus Riddan

The magistrates are well content heerewth wth reference to the consent of o^r brethren the Deputies.

Edward Rawson Secret.

The Deputyes doe freely Consent hereto

William Torrey Cleric.

Whereas the Gennerall Courte holden at Boston in October last graunted m^r Niccolas Shapley protection for one yeere freely to Come into the Jurisdiction of the Massachusetts and to Retourne to his owne house without molestation Wee the Comission^rs Appointed by the said Courte to settle the Civill Gouernment at Kittery &c vppon the Request of the said m^r Shapley have thought meete and accordingly graunted that no former Judgement or excecution formerly obtained by any Creditor in any Court of the massachusetts against the said m^r Shapleigh shall be of force against his person for one yeere from the date of the said protection notwthstanding the place of his habitation is wthin the Jurisdiction of the massachusetts aforesaid.

Provided, Neūthelesse that this priviledge & protection now graunted shall not barre or lett any person whatsoeuer from sueing or recouering by law any debt due by bond bill or otherwise from the said m^r Shapley vppon a new accon either in the County Court of Yorke or Kittery or wth in the Jurisdiction where any such Creditor may Inhabitt, his person still to be free from Restraint for the terme aforesaid, Given at Kittery vnder o^r hands this 24th Nouember. 1652.

20 Nouber 52

Thomas Dunston and Robert Mendam were chosen and sworne Counstables for the Towne of Kittery.

Phillip Babb of Hogg Iland was Appointed and Authorized Constable for all y^e Iland of Shoales Starr Iland excepted./

m^r Hugh Gunnison was licensed to keepe an ordinary and to sell wine and strong water and for one yeere he is to pay but twenty shillings the Butt.

Whereas the Gennerall Court holden at Boston in october last hath Appointed and Authorized vs whose names are vnderwritten to Setle the Ciuill Gouernment in this place

of Kittery now in y^e County of Yorkeshire as by their Comission vnder the Seale of this Colonie Dat 28th of the aforesaid october doth or may Appeare Wee therefore the said Comissioners wth the free and full consent of the Inhabitants of Kittery haue and heereby doe Constitute and Appointe the Right trusty m^r Brian Pendleton m^r Thomas Withers and m^r Hugh Gunnison as an Associate & Invested them wth full power and Authoritie together wth one Asistant of the Gouvernment of the Massachusetts to keepe one County Court at Kittery and euery one of these Comissioners hereby haue magistralticall power to heare and determine smale Cawses like as other magistrates that are Asistants haue, whither they are of a Ciuill or Criminall nature, Also Power is hereby Giuen to the said Comission^{rs} and Associate Assembling together betweene the County Courts to heare and : determine wthout a Jury in y^e said Towne any Cawse not exceeding tenn pounds. any of the Comissioners may grant sumons or Attachments and execution if neede Require Any of the said Comissioners heereby haue power to examine offenders to Comitt to prison vnless baile be given and taken Also each of these Comissioners haue heereby power when they shall judge needefull to binde offenders to the peace or good behauiour : Also each of these Comissioners haue heereby power to Administer oathes according to lawe. Also marriage shall be solemnized by any of the Comission^{rs} according to lawe. Also the County Court shall Appointe a shire Treasurer to whom fines & matters of the like nature are to be accompted and paid for the vse of the Countye Also any of the said Comissioners may administer the oath to such of the p^{rsent} Inhabitants as shall desire to be made free. Also two of these Comissioners may till other order be taken graunt or Renew licenses for ordinaries or selling wine or strong water. Aso two of the said Comissioners hereby haue Authoritie to Impower millitary officers vnder the degree of a Captaine Also power is

heereby given to two of the said Comissioners and they are Required to enjoyne the Toune of Kittery to procure the books of lawes and such also as are not as yett printed & enacted since the last booke Came forth in print and It is intended that both Grand Juries and Juries for triall shall be summoned for the County Court out of Yorke & Kittery proporconably. Giuen vnder our hands at Kittery: this twentieth day of Nouember 1652.

Symon Bradstreet.

Samuel Symonds :

Tho Wiggin :

Brian Pendleton.

The Retourne of the Comissioners who vppon the Comission Graunted by the Gennerall Courte bearing date 28th of October 1652 viz M^r Symon Bradstreete m^r Samuell Symonds Cap^t Thomas Wiggin and m^r Brian Pendleton In order to theire Comission after they had binn at Kittery Repaired to Accomenticus or Gorgiana : And Summoned the Inhabitants thereof to Appeare before them.

Whereas the Gennerall Court holden at Boston, in the last month did Appointe vs whose names are heerevnder written, as by theire Comission vnder the Seale of the Colonie of the Massachusetts doth or may appeare by Summons to Assemble the Inhabitants of this Toune together, in some place which wee shoud Judge most Convient, and to declare vnto them our Just right and Interest to and Jurisdiccon ouer, the tract of land where yo^w Inhabitte, Requiring theire Subjection therevnto Assuring them they shall enjoy equall protection and priviledge wth themselves : This is therefore to desire yo^w and in the Name of the governement of the Massachusetts to Require yo^w and euery of yo^w to Assemble together before vs at the house of Niccolas Davis, betweene seven and eight of the clocke on Monday next in the fore-

noone, to the end aforesaid, and to setle the Gouernment amongst yo^w which wee hope will tend to the glory of God and to the peace & welfare of the whole.

Dat : 20th Day of Nouember 1652 subscribed.

Symon Bradstreete

Samuell Symonds.

Tho : Wiggin

Brian Pendleton.

And was directed to m^r Niccolas Dauis
& m^r Jn^o Davis who were Required
and Authorized to warne the Inhabi-
tants abovesaid.

Vppon the 22th of Nouember 1652 the Co^mmissioners held theire Court and the Inhabitants Appeared and after some time spent in Debatementes and many questions Answered and objections remooved wth a full & Joynt Consent acknowledged themselves subject to the gouernment of the Massachusetts in New England: only m^r Godfrey did forbear vntill the vote was past by the Rest and then Imediately he did by word & vote expresse his Consent also The names of those y^t tooke y^e oath of freemen were

m^r frauncis Raine

Tho- Crockett.

Jn^o Alcocke

W^m Dixon

Rice Codagone

George Parker.

Andrew Evered.

Rob^t Knight.

W^m Rogers

Sam : Alcocke

Joseph Alcocke

Peter Wier

Phillip Adams

Mary Topp acknouled only.

Edw. Wentom

Georg Beanten.

m^r William Hilton.

William Moore

Henry Donell

Edward Stirt

Rowland Young

Jn^o Parker

Arthu^r Bragdon.

Jn^o Ellingham

Jn^o Tuisdale sen^r

Tho Courtous

m ^r Edward Godfry	Silvester Stouer.
Lewis	Tho Dennell
Rob ^t Edge.	m ^r Edward Rushworth
Phillip Hatch	Jn ^o Harker
Jn ^o Davis-	Niccolas Davis
Niccolas Bond	Sampson Angier.
m ^r Edw : Jn ^o son	m ^r Henry Norton
Hugh Gaile	Rob ^t Hetherse
Willm Garnsey	W ^m ffreathy
Rich. Bankes.	Jn ^o Davis
Jn ^o Tuisdall Jun ^r	m ^r Jn ^o Gouge
m ^r Abra : Preble	m ^r Tho. Wheelwright

The Comission^rs (soone after) graunted vnto them Seuerall p^riviledges & liberties subscribed vnder their hands the same w^{ch} they Graunted to y^e Inhabitants of Kittery wth these Additions. viz.

ffurther wee the Comissioners Aforesaid Doe Consent and Agree that the Toune now Called Accomenticus shall henceforth be Called Yorke.

And that one Court shall be kept yearly in the said Toune by such magistrate or magistrates and other Comissioners as the Gennerall Court of the Massachusetts shall from time to time Appointe and for the p^resent by such Comissioners as shall be Authorized by the aforesaid Comissioners of the Massachusetts, which Court shall haue the same power for triall of Cawses Ciuill or Criminall Arising in the County of yorke, as other County Courts haue in the Massachusetts Jurisdiccoⁿ.

4 That such of the present Inhabitants as shall take the oath of freedom shall be thenceforth capable of giving their voate for the choise of Gouvernor Asistants and other Gennerall officers and of being chosen to any of the aforesaid places of honnor and trust

5 Itt is further Agreed that the Inhabitants of Yorke and Kettery shall sett out their bounds betwixt them and the Inhabitants of Wells and Yorke shall sett out their bounds betwixt them wth in one yeere now next ensuing otherwise it shall be donne by Comissioners Appointed by the Generall Court and the head lyne of yorke bounds into the Countrey shall be in a streight lyne by the South East Side of a certaine pond about two miles into the Countrey beyond the Northerly branch of a Certaine marsh now Improoved by some of the Inhabitants of yorke and so to the devission lines betwixt the Tounes before mentioned and if it so fall out that any parte of the marishes now reputed to belong to yorke and Improoved by the Inhabitants thereof, shall fall wthin Kittery bounds yett the said propriety of the said marish shall belong to the Inhabitants of Yorke to whom it is Graunted and if any of the lands or marishes now Reputed to belong to Kittery and Improoved by any of the Inhabitants thereof shall fall wthin the bounds of York yett the propriety of the said land or marish shall belong to such of the Inhabitants of Yorke or Kittery to whom it is graunted./

Symon Bradstreete.

Samuell Symonds

Thomas Wigginn

Brian Pendleton.

Att the same Court held at yorke the 22 of Nouember 1652

m^r Niccolas Davis was chosen and sworne Constable.

M^r Edward Rushworth was chosen Recorder & desired to exercise the place of Clark of the writt.

m^r Henry Norton was chosen marshall there

Jn^o Davis was licensed to keepe an ordinary.

Then was the Comission graunted to y^e Gent. of yorke as followeth viz./

Whereas the Gennerall Courte holden at Boston in Octob : last hath Appointed & Authorized vs whose names are vnderwritten to Setle the Ciuill Gouernment in this place now called yorke in the County of Yorkshire as by theire Comission vnder the Seale of this Colony Dat. 28th of the Aforesaid octob^r doth or may Appeare :/ Wee therefore the said Comissioners with the free & full Consent of the Inhabitants of the said Toune haue and heereby Doe constitute & Appointe the Right Trusty m^r Edward Godfrey m^r Abraham Preble and m^r Edward Rushworth Comissioners Invested wth full power and Authoritie together wth one Asistant of the Gouernment of the Massachusetts to keepe one County Court yearely at yorke and euery of these Comissioners heereby haue magistratticall to heare and determine smale cawses like as other magistrates that are Assistants haue ; whither they are of a Ciuill or of a Criminall Nature Also power is heereby given to any three of the said Comission^{rs} Assembling together betweene the County Courts to heare and determine (wthout a Jury) in y^e said Toune and Cawse not exceeding ten pounds Any of the Comissioners may Graunt Suñons or Attachments and execucion if neede Require : Any of the said Comissioners heereby haue power to examine offenders to Comitt to prison vnlesse baile be given and taken : Also each of these Comissioners haue heereby power to minister oathes according to lawe Also any of the Comissioners haue heereby power when they shall Judge needefull to bind offenders to the peace or good behauio^r. Also marriage shall be solemnized by any of the Comissioners according to lawe Also the County Court shall Appoint a Shire Treasurer to whom fines & matters of the like nature are to be accounted and paid for the vse of the County Also any of the said Comissioners may minister the oath to such of the present Inhabitants as shall be made

free : Also two of these Comission^{rs} may till other order be taken graunt or Renew licenses for ordinaries or selling wine or strong water Also two of the said Comissioners heereby have Authoritie to Impower millitary officers vnder the degree of a Captaine Also power is heereby Given to two of the said Comission^{rs}, and they are Required to Injoyne the Toune of Yorke to procure the books of lawes and such also as are not yett printed and enacted since the last booke Came forth in print and Itt is Intended that both grand Juryes & Juries for triall shall be su^moned for the County Court out of Yorke and Kettery proporconably. Giuen vnder ou^r hands at York this 23th of Nouembe^r 1652

Symon Bradstreet
 Samuell Symons
 Thomas Wiggin
 Brian Pendleton

The magis^{ts} hauing veiwed this Retourne of y^e Comissione^{rs} at Kittery &c doe Approove thereof and orders that due & harty thanks by this Court be Rendered to them for their paines & se^rvice therein wth such meete Recompence as their bretheren the Deput^s shall Judge meete Desiring their bretheren the Deput^s to Consider thereof & to Consent heereto

Edward Rawson Secret :/

1st June 1653/ :

The Deput^s thinke meet to respit
 it till next Session

W^m Torrey Cl :

The Deputyes Doe Concu^rre with o^r honord magis^{ts} in the first part of this retorne viz^t that harty thanks be rendered to the Comissiono^{rs} for their paynes herein & for further satisfaction shalbe willinge & ready to make the same in the graunt of some land to each of them respectiue^{ly} when any shalbe p^rsented to this Court if o^r honord magis^{ts} consent hereto

William Torrey Cleric

The magis^{ts} Consent hereto but desire theire bretheren the Depu^{ts} to determine theire proporçons now w^{ch} they shall Consent to.

Edward Rawson Sec^{ret}

Commission June 7. 1653.

{ L. S }

Jo: Endecott Go^{vd}

To our Trusty and well beloved ffreinds
Richard Bellingham Esq^e Dep^t Gou-
ernor Capt Thomas Wiggin major
gennerall Daniell Denison Edward
Rawson Secretary and m^r Brian Pen-
dleton :

Wheras yo^w are chosen Comission^{rs} by this Courte to Settle the Ciuill Gouernment amongst the Inhabitants of Wells Cape Porpus and Saco and so to the most Northerly extent of our Pattent yow or any three or more of yo^w are heereby Authorized and Required with all convenient speed to repaier to those partes and thereby Suñon to Assemble the Inhabitants together in some place which yo^w shall Judge most convenient and to declare vnto them our Just rights and Jurisdic^{con} ouer those tracts of land where they Inhabitt Requiring theire subjection therevnto Assuring them they shall enjoy æquall protecc^{on} and priuiledge with ou^r selves f^further wee doe heereby giue and Graunt vnto yo^w any three or more of yo^w full power and Authoritie to suñon and keepe a court or Courts there, to heare and determine all cawses Civill and Criminall according to the power and Authoritie of ou^r County Courts to nominate and Appointe Comissione^{rs} Administer oathes to them and Invest them with such power as yo^rselves or the major pte of yo^w, shall Judge meete, as also to Appointe and sweare Counstable s and such other officers as yo^w shall Judge needefull,

for the preservacōn of the peace, to Confirme and setle proprieties to graunt priviledges protections and Imunities, and to setle the Gouvernment there And further to Doe and Act in the p̄misses or anything of like Nature for the ends aforesaid; till this Court shall take further order therein; as in yo^r wisdomes and discretions yo^w shall Judge most to Conduce to the Glory of God; the peace and welfare of the people there; and the maintenance of ou^r owne Just Rights and Interest. And wee doe heereby will and Requier all magistrates Cōmissioners Capts and all other officers civill and millitary wth in the County of Norfolke and all the Inhabitants of the Ile of Shoales and beyond the Riuer of Piscatag within the limitts of our Pattent to be Aiding and Asisting to these our Comissioners as they shall see cause to Craue or Require And In Confirmation heereof wee haue Cawsed the Seale of ou^r Collonie to be heerevnto Affixed this 7th of June 1653 :/

By the Cou^rte Edward Rawson Secret :/

Summons June 7. 1653.

To y^e Inhabitants of Wells so called

Whereas the Gennerali Court holden at Boston. 3^d of June 1653. hath Appointed & Authorized vs whose names are heerevnder written. as by theire Comission vnder the Seale of the Collony of the massachusetts doth or may Appeare hereby to Sumons you the Inhabitants of Wells together to declare vnto you our Just right and Interest to & Jurisdicōn ouer, the tract of land yo^w Inhabitt = Requiring your Subjection therevnto. Assuring that you shall enjoy

æquall ptecc̃on and priviledge wth the inhabitants of y^e bay. This is therefore to desire yo^w and in the name of y^e Gouernment of the Massachusetts to Require yo^w and euery of yo^w to Assemble together befor vs at the howse of m^r Joseph Emerson the 4th of July next to the end aforesaid & to y^e peace & welfare of the whole. Dated 7th of June 1653.

Resolved on y^e Question

Jn^o Birch :/ Birch :/

Summons.

To the Inhabitants of Wells, so called

Whereas the Gennerall Court of the Massachusetts held at Boston in October 1652 did by their Comission Authorize and Appointe their trusty & well beloved m^r Symon Bradstreet m^r Samuell Symonds Cap^t Thomas Wiggins wth other gent^t to Sumons y^{ow} to Appeare before them: & to setle Ciuill Gouernment Amongst yo^w as pte of the Jurisdiction of the Massachusetts. & By Reason of Some vrgent & emergent occasions have binn hindred hitherto from Coming to yow & The Gennerall Court Having this 3^d of June Conferred the same Coñission as before expressed on: the Trusty & well beloved Richard Bellingham Esq Deputy Gouñor Cap^t Thomas Wiggin Major Gennerall Daniell Denison m^r Edward Rawson and m^r Bryan Pendleton or any three of them to p^rosecute the ends of the first Recited Comission; wee therefore whose names are herevnder written doe heereby.

Petition of Thomas Wiggin & Simon Bradstreet.

To the Hon^{ed} Generall Court now
assembled att Boston.

The humble petition of Thomas Wiggin & Simon Bradstreet

Whereas this Court was pleased to graunt to y^e petition^{es} 1000 acres of Land &c vpon the greate Ryver of Newichawaunock for the vse & benefitt of o^r mill there It is o^r humble desire that the Land may be layde out by Elder Nutter & Thomas Cany in such free place as wee shall make choise of on the sd Ryver, & wee shall pray &c

The magis^{ts} Judge meet to graunt the peticoners Request. if theire bretheren the Deput^s Consent heereto

Edward Rawson Secret

27 May 1653.

The Deputyes Cannot Consent here to but Think meet to referr this & m^e Broughtons pet herevnto affixed to the considerat of the Co^mitee for the pet. W^m Torrey Cleric.

The Deputyes on farther Considerat haue graunted this petition. viz^t that it be layd out in a ffree place not Intrenching on any Towne bounds nor pticular mens proprietie nor hindering a plantation with reference to the Consent of o^r honrd magis^{ts} hereto

William Torrey Cleric.

Consented to by y^e magis^{ts}

Edward Rawson Secret

Vpon Examina^{co}n of this & m^r Broughton Peticoⁿ & conference wth the Peticoners wee find them willing not to intrench vpon one another but that Each Peticoners Inter-

rest may take place Therefore we conceiue the Courts grant to m^r Bradstreete & Cap^t Wiggen ought to be confirmed taken & layd out as is by them desired

Daniel Denison

Jos : Hills :

Edw : Johnson

In Ans^r to the peticoñ of S : Bradstreete & Cap^t Wiggin the Court hath ordered that Eld^r Nutter & Tho : Cañy shall lay out for them one thousand acres of Land vpon the greate Ryy^r of New^{ch}awanett in such place as they shall make choise of not intrenching on any Towne bounds pticular mens ppryeties or to hind^r a plantacon-

A true copie E. R. S^e

Att a Court held at Wells the 4th of July 1653 by the Coñmission^{rs} viz Rich : Bellingham Esq Cap^t Tho : Wiggin Major Gennerall Daniell Dennison m^r Edward Rawson and Cap^t Brian Pendleton by virtue of A Coñmission to them graunted by the Generall Court of the Massachusetts Colonie Dated the 7th of June 1653.

The Inhabitants of Wells being called according to their Suñions those whose names are here vnder written made their appearance & acknowledged themselues subject to the

Gouvernem^t of the Massachusetts as witnesses their hands
this 4th of July 1653

Joseph Emerson

Ezekiell Knights

John Gooch

Joseph Bolles

Johuath : 7 Thing

his m^rke

John Barret sen^r

his 4 m^rke

these tooke y^e oath of freemen

Jn^o Gouch excepted

the 5th day of July 1653 theis the Inhabitants of Wells
Came in vnto vs & subscribed their names as is here vnder
written.

Henerie Boade

After the seuerall Inhabitants of Wells, Saco & Cape por-
pus had subscribed theire subjections The Co^mmissione^{rs}
Judged it meete to graunt them to be freemen & they took
theire oathes in open Court accordingly : 5 : July 1653.

In y^e Case of Jn^o Baker The Judgm^t of y^e Court is y^t Jn^o
Baker shall be bound to y^e good behaviou^r & henceforth that
he shall not preach :

Griffen Montegue was chosen & sworne Constable for
Cape Porpus./

Morgan Howell of Cape Porpus, Doth acknowledge him-
self bound in fiftty pounds to y^e Treasurer of the Countrie
on y^e Condicon that he will psecute his ac^con against Jn^o
Baker at the next County Court to be held at *Yorke*.

The Comissioners being Informed y^t Jn^o Smith of Saco is necessarily detained from Coming to yeeld his subjection to this Gouernment & y^t it is his desire to subject himself to this Gouernment they doe grant y^t on his acknowledgmēt of subjection to y^s Gouernment any two of y^e Comissioners at Saco may & hereby have liberty to give him the oath of freemen.

The like liberty on y^e like termes is graunted to y^e Comissioners of Wells to Administer the like oath to Richard Ball Rich Moore Jn^o Elson. Arther Wormestall & Edward Clarke.

The Comissioners being Informed y^t Saco is destitute of a good minister w^{ch} is much desired, that due Care be taken to Attaine the same, & in the meane time that theire peace might be preserved. They doe declare & order Robert Booth shall haue libertie to exerceise his gifts for y^e ædification of the people there, and George Barlow at the Request of seūrall of y^e Inhabitants there is hereby forbid any more publiquely to preach or prophecy there, vnder the pœnalty of tenn pounds for euery offence :)

Voted

Return

The Retourne of the Comissioners who vppon the Comission Graunted by the Gennerall Court bearing date the 7th of June 1653, viz Richard Bellingham Esq^r Cap^t Thomas Wiggin Daniell Dennison Sarjant major Gennerall Edward Rawson Secret and m^r Brian Pendleton In Order to theire Comission Repaired To Wells & sent out Sumons to the Inhabitan^{ts} of Wells Saco and Cape Porpus to Appeare before them : the 4th of July. 1653.

Wells. 4th of July 1653 at m^r Emersons house

The Comissioners above mentioned by virtue of their Comission held and kept Court there and Cawsed the Inhabitants of Wells by name pticularly to be Called according to their summons And those whose names are heerevnder written made their Appearances and acknowledged themselves subject to the Gouvernment of the Massachusetts as wittnesse their hands. this 4th of July 1653

Joseph Emerson Ezekeiell Knights Jn^o Gooch

Joseph Boiles Jn^othan 7 Thing Jn^o $\frac{1}{2}$ Barrett sen^r

After their subjection The Comissioners Judged it meete to Graunt them to be freemen and accordingly Administered the oath of freemen to them :

And for the better effecting the ends of their Comission they Appointed Jn^othan Thing to be Counstable there for one whole yeere and gave him the Counstables oath accordingly.

And whilst the names of the Inhabitants of Wells were Calling ouer W^m Wardell one of the Inhabitants there Coming by was Called to Come in & Ans^r to his name which he Refused & Contemptuously turned his backe on the Court, for which Contempt The Court graunted out a warrant to the Counstable, to fetch the said W^m Wardell before them to Ans^r his Contemp^t & so Adjourned the Court to m^r Ezekeiell Knights, to which place The Counstable brought the said Wardell. The Rest of the Inhabitants of Wells Accompanying him The Court demanding a Reason of the said Wardell for his Contemptuous behauio^r who excused himself, that his Intent was no^t to Comtem, the Court but Rather to endeavo^r to gett the Rest of the Inhabitants of Wells, that had no^t Appeared to Come in & make their Appearances. The Court At the Request of the Inhabitants, who promised y^e said Wardell should be forth Coming the nex^t day, Dismist the said Wardell & Adjourned the Court till the next day 8 of y^e clocke.

July 5th 1653

Att which time the Court mett Againe And the Inhabitants of Wells were Called according to their Summons And Appearing

Wee whose names are heerevnder written Inhabitants of Wells Doe heereby freely acknowledge ourselves subject to the Gouernment of the Massachusetts. Wittnes our hands this 5th of July 1653

Jn^o Wadley Edmond Litlefeild Jn^o Saunders
Henry Boade Jn^o Bush Robt Wadly ffrancis Litlefeild sen
Jn^o White Samuel Austin W^m Hamans Jn^o Wakefeild
W^m Wardell Anth^o. Litlefeild Jn^o Barrett Jun Tho Litlefeild
Thomas Mittes Nicholas Cole W^m Cole
ffrancis Litlefeild Jun

The Court at y^e Request of these Inhabitants accepted y^e submission of W^m Wardell And To these above mentioned Also the Comissioners Graunted they should be freemen and in open Court gave them the freemans oath : And ffurther

Whereas the Towne of Wells hath acknowledged themselves subject to the Gouernment of the Massachusetts bay in New England as by their Subscriptions may Appaere =

Wee the Comissioners of the Gennerall Court of the Massachusetts for the settling of the Gouernment amongst them and the Rest wthin the bounds of their charter Northerly to the full and Just extent of their line haue thought meete and Doe Actually Graunt

1 That Wells shall be a Touneshipp by itself and alwaies shallbe a part of Yorkshire and shall enjoy protection aequall acts of favor and Justice wth the Rest of the people Inhabiting on the south side of the Riuer of Piscataq^g wth in the limitts of our Jurisdic^on and enjoy the priuiledges of a Towne as others of the Jurisdic^on haue and doe enjoy wth all other liberties and priuiledges to other Inhabitants in our Jurisdic^on

2 That euery Inhabitant shall haue and enjoy all their Just proprieties titles and Interests in the howses and lands which they doe possesse whither by Graunt of the Towne possession or of the former Gennerall Courts.

3 That all the present Inhabitants of Wells shall be freemen of the Countrie and having taken the oath of freemen shall haue libertie to give their votes for the Election of the gouernor Asistants and other gennerall officers of the Countrie

4 That the said Towne of Wells shall haue three men Approved by the County Court from yeere to yeere to end smale causes as other the Touneshippes in the Jurisdiction hath where no magistrate is according to lawe, and for this present yeare m^r Henry Boade m^r Thomas Whelewright & m^r Ezekiell Knight Are Appointed and Authorized Commissioners to end all smale causes vnder forty shillings according to lawe And further these Commissioners or any two of them are and shall be Impowred and Invested wth full power and Authoritie as a magistrate to keepe the peace and in all Ciuill Causes to graunt Attachments and executions if neede Require. Any of the said Commissioners haue power to examine offenders to comitt to prison vnlesse baile be given according to lawe And when these or any of these shall judge needfull they shall haue power to binde offenders to the peace or good behaviour Also any of these Commissioners haue power to Administer oathes according to lawe Also marriage shall be solemnized by any of the Commissioners According to lawe.

Itt is further heereby Ordered & Graunted that for this present yeare m^r Henry Boade m^r Thomas Whelewright m^r Ezekiell Knight Jn^o Wadley & Jn^o Gooch shall be the select men to order the prudentiall Affaires of the Towne of Wells, for this yeare.

mr Henry Boade mr Thomas Whelewright & mr Ezekieil Knight tooke their Respective oaths as Comissioners or Associates vse to do.

Lastly Itt is Graunted that the Inhabitants of Wells shall be from time to time exempted from all publick Rates and that they shall alwaies beare their oune charges of the Courts &c Arising from amongst themselves.

mr Joseph Bolles was Appointed Clarke of the writts to graunt Warrants Attachments &c.

mr Ezekieil Knight is Appointed to be a Grand Jury man for the Toune of Wells for one yeere & tooke his oath accordingly :

The Cawse betweene Morgan Howell and Jn^o Baker is Continewd & Referd to be determined by the next County Court in Yorkshire.

Jn^o Baker did Acknowledge himself bound in twenty pounds to mr Richard Russell Treasurer of the Massachusetts Jurisdic^on on this Condi^on that he shall Appeare before the next County Court in Yorkshire to Ans^r the said A^ccon or Complaint of Morgan Howell :

6 July 53

Seuerall Articles were exhibited against Jn^o Baker ffor Abusive & approbrious speeches vttered by him against the ministers & ministry & for upholding Private meetings & pphechyng to y^e hindrance & disturbance of Publick Assemblings &c. Some of which being proved Against him he tendered voluntarily to desist from pphechyng publickely any more.

The Court proceeded to Censure him to be bound to the good behaiou^r & forbad him any more publicquely to preach wth in this Jurisdic^on.

Jn^o Baker did accordingly Acknowledge himself bound in twenty pounds to m^r Richard Russell Treasurer of the Massachusetts on this Condiçon that he willbe of good behaviour betweene this and the nex^t County Court and make his Appearance at the said Courte if he be wth in this Jurisdiction :/

Wee the Comissione's of the Massachusetts for settling the Gouvernment at Wells Cape Porpus and Saco being Informed of seuerall Differences amongst the Inhabitants of Wells w^{ch} were principally occasioned (as was professed in the Court) by those that called themselves the church there which differences wee were very desirous to Compose and therefore were willing to be Informed of the proceedings of those psons and the successe of their church estate, after wee had heard what both parties Could say wth the Relation of m^r Boade, Edmond Littlefeild and William Wardell wee were fully satisfied that their church Relation was dissolved :

there being but 3 psons left & by Wardells wth y^e other 3 Confession both m^r Parmot & Wardell were dismiss from their church Relation at their owne Request.

Wherevppon wee Advised them to desist from further Disturbance of the place by Asserting their pretended Church Relation and to Apply themselves for the future to some other Course which might Conduce more to the peace and settlement of the place which if they shall neglect to doe, and shall Continew their vngrounded Assertion of their church Relation wee professe ourselves bound to beare wittnes against them for endangering the disturbance of the peace and welfare of those people, vnto whom (wee haue Cause to hope thro' the blessing of God) our endeavours for

theire good will not proove successless And therefore Doe earnestly desire they may not be Rendered fruitless by those especially who professe themselves before others to be the children of peace./

The Court Also proceeded to make this Protestation w^{ch} was by the marshall publickly publisht :

Whereas wee haue declared the Right of the Massachusetts Gouernment to the Tounes of Wells Cape Porpus and Saco and the Inhabitants thereof being Svmoned did Appeare before vs at Wells on this 5th of July 1653, and Acknowledged themselves subject thereby to and tooke the oath of freemen and fidellitie to the said Gouernment which by vs theire Comissione's haue Appointed and settled a Gouernment ouer them Wee doe therefore heereby Protest against all persons whatsoeuer that shall challenge Jurisdiction or excercise any Act of Authoritie ouer them or ouer any other psons to the northward Inhabitting wth in the limitts of our patents which doth extend to the latitude of forty three degrees forty three minutes and $\frac{1}{2}$ of northerly latitude but what shall be derived from vs the Comissione's or the Gennerall Court of the Massachusetts

Given vnder our hands at Wells in the County of Yorke the 6th of July. 1653. & signed

Richard Bellingham
Tho Wiggin
Daniell Dennison
Edward Rawson
Brian Pendleton

Itt was Ordered Also that the select-men of the Toune of Wells shall & heereby are Impowred to Appointe a meete pson to keepe an ordinary there for entertainment of strangers

Jn^o Saunders & Jonathan things as serjants are Appointed to excercise y^e souldiery there

Att A Court held at Wells by
the above mentioned Com-
issione's the 5th of July 1653

The Inhabitants of Saco being by name pticularly Called made their Apppearances according to their symons and those whose names are heerevnder written Acknowledged themselves subject to the Gouvernment of the Massachusetts as wittnes their hands this 5th of July 1653

	m ^r ke	
Thomas Williams.	Richard R Hitchcock	Rob ^t Booth
Jn ^o West	William Scadlocke	James Gibbins
Richard Cowman	Peter Hill	Christopher Hobbs
Thomas Roge's	Ralfe Tristram	Henry Waddocke
Thomas Reading	Philliph Hinckson	George Barlow
Thomas Hale		

The Comissione's Judged it meete to graunt them to be freemen and Accordingly gaue them the freemans oath which they tooke in open Court :

And whereas the Toune of Saco hath acknowledged themselves subject to the Gouvernment of the Massachusetts bay in New England as by their subscriptions may Appeare :/

Wee the Comissione's of the Gennerall court of the Massachusetts for the setling of Gouvernment amongst them and the rest within the bounds of their charter northerly to the full and just extent of their line haue thought meete and doe actually Graunt.

1 That Saco shall be a Touneshipp by itself and alwaies shallbe a part of Yorkshire and shall enjoy protection æquall

acts of favor and Justice wth the rest of the people Inhabiting on the southside of the Riuer of Piscataq or any other wthin the limitts of our Jurisdiccon and enjoy the priuiledges of a Toune as others of the Jurisdiccon haue and doe enjoy wth all other liberties and priuiledges to other Inhabitants in ou^r Jurisdiccon

2 That euery Inhabitant shall haue and enjoy all their Just proprieties, titles, and Interests, in the howses and lands which they doe possesse, whither by graunt of the Towne, possession or of the former Gennerall Courts.

3 That all the present Inhabitants of Saco shall be freemen of the Countrie and having taken the oath of freemen shall haue libertie to give their votes for the Election of the Gouverno^r Asistants and other Gennerall officers of the Countrie

4 That the said Toune shall haue three men Approoved by the County Court from yeere to yeere to end smale causes as other the Touneshippes in the Jurisdiccon hath where no magistrate is according to lawe and for this p^resent yeare m^r Thomas Williams Rob^t Booth and John West are Appointed and Authorized Comissioners to end all smale causes vnder forty shillings according to lawe : And further these Comissioners or any two of them are and shall be Impoured and Invested wth full power and Authoritie as A magistrate to keepe the peace and in all ciuill Causes to graunt Attachments and executions if neede Require : Any of the said Comissioners haue power to examine offendo^rs, to Comitt to prison, vnlesse baile be given according to lawe.

And when these or any of these shall Judge needefull they shall haue power to binde offenders to the peace or good behaviour Also any of these Comissioners haue power to

Administer oathes according to lawe Also marriage; shall be solemnized by any of the Comissione's according to lawe.

Itt is further heereby Ordered and Graunted that for the p'sent yeare m^r Thomas Williams, Robert Booth, and Jn^o West shall be the select men to order the prudentiall affaires of the Towne of Sacō: for this yeare: And they tooke their Respective oathes as Comissione's or Associates vse to doe.

Lastly Itt is Graunted that the Inhabitants of Saco shall be from time to time exempted from all publick Rates and that they shall Alwaies beare their owne charges of the Courts &c Arising from Amongst themselves.

Ralfe Trustrum was Appointed Counstable there and tooke his oath-

W^m Seadlocke was Appointed A Grand-jury man for this yeere and tooke his oath: also he was Appointed Clarke of the writts

Richard Hitchcocke was Appointed & Authorized as A serjant to exercise the Souldiery at Saco: /

The Comissione's being Informed y^t Jn^o Smith of Saco is necessarily detayned from Coming to yeeld his subjection to this Gouvernment they doe Graunt that on his acknowledgement of subjection to this Gouvernment Any two of the Comissione's at Saco may and heereby haue libertie to give the oath of a freeman.

The like liberty on the like termes is graunted to the Comissione's of Wells to Administer the like oath to Rich-

ard Ball Rich Moore Jn^o Elson Arthur Wormestall & Edward Clarke.

The Comissione^{rs} being Informed that Saco is destitute of a good minister which is much desired that all due Care be taken to Attaine the same & in the meane time that their peace might be p^reserved. They doe Declare and order that Robt Booth shall haue libertie to excercise his guifts for the ædification of the people there Seuerall of the Inhabitant^s Complayning y^t George Barlowe is A disturbance to the place : The Comissione^{rs} at their Request thought meete to forbidd the said George Barlow any more publicquely to preach or prophecy there vnder the p^rænalty of tenn pounds for euery offence./

It is Ordered that the Inhabitants of Wells Saco and Cape Porpus shall make sufficient highwaies wthin their Townes from howse to howse cleere and fitt for foote and Carte before the next County Courte vnder the p^rænalty of tenn pounds for euery Townes Defect in this particular And that they lay out a sufficient highway for horse & foote betweene Toune & Toune wthin y^t time.

Att A Court held at Wells 5 July
1653 by the above mentioned
Comissione^{rs}

The Inhabitants of Cape Porpus was Called and made their Appearance according to their Sumons and Acknowledged themselves subject to the Gouvernment of the Massachusetts as followeth

Wee whose names are vnder written doe acknowledge

ou' selves subject to the Gouvernment of the Massachusetts
as wittnes our hands

	mrke	mrke
		
Morgan	M^H	Howells Griffin Montague Steeven Batsons
Christopher Spurrell		John Baker Gregory Jeofferys
Thomas Warner		William Renolles Peter Turbat
Jn ^o Cole		Simon ¹ Trott Ambrose Bury

To these Above mentioned also the Comissione^{rs} Graunted
they should be freemen and in open Court gaue them the
freemans oath

And further

Whereas the Toune of Cape Porpus hath acknowledged
themselves subject to the Government of the Massachusetts
Bay in New England as by their subscriptions may Appeare
Wee the Comissione^{rs} of the Gennerall Court of the Massa-
chusetts for the settling of Gouvernment amongst them and
the Rest wth in the bounds of their charter northerly to the
full and Just extent of their line haue thought meete and
doe Actually Graunt

1 That Cape porpus shallbe a Touneshipp by itself and
alwaies shallbe a part of Yorkshire and shall enjoy æquall
protection Acts of favor and Justice wth the Rest of the
people Inhabiting on the south side of the Riuer Piscataq or
any other wth in the limitts of our Jurisdic[~]con and enjoy the
priviledges of a Toune as others of the Jurisdic[~]con haue and
doe enjoy wth all other liberties and priviledges graunted to
other Inhabitan^{ts} in ou^r Jurisdic[~]con.

2 That euery Inhabitant^t shall haue and enjoy all their
Just proprieties titles and Interests in the howses and lands
which they doe possesse whither by graunt of the Toune
possession, or of the former Gennerall Courts.

Wee whose names are heerevnder written Inhabitants of Wells doe heereby freely Acknowledge o^r selves subject to y^e Gouvernment of the Massachusetts as wittn[es] our hands this 5 July 1653

Henry Boade
 John Wadly
 Edmand Littlefield
 John Saunders
 John White
 John Bush
 Robert Wadley
 ffrancis Littlefeild seanier
 William Wardell
 Samuell Austine
 William Hamans
 John Wakefeild
 Thomas Milles
 Anthony Littlefield
 John litlfeild
 John barrett Junior
 Thomas littlefeild
 ffrances Littlefield Junior
 Nicholas Cole
 Willm Cole

These all tooke the oath of freemen : the day above mentioned in open Court

Edward Rawson

Wee whose names are heerevnder written Inhabitants of Saco. Doe hereby freely acknowledge ourselves subject to

y^e Gouernment of the Massachusetts. as wittnes o^r hands y^e
5 July 1653

Thomas  Williams

Richard  Hitchcox

Robt Booth

John West

William ScadLock

James Gibbins

Richard Cowman

Peter Hill

Christopher Hobs

Thomas Rogers

Ralph Tristum

Henry Waddock

Thomas Reading

Phillip Hinkson

George Barlo

Thomas Hale

These all tooke their oathes of freemen in open Court y^e
day & yeere above written.

Edw : Rawson

The names of y^e Inhabitants of West Saco

Mr Thomas Williams

Mr Richard Hitchcox

Mr John West

Mr John Smith

Robert Booth

William Scadlock

Ralph Tristum

John Layton
 Peter Hill
 John Hollicum
 Joh Sparks
 Christopher Hobs
 Nicolas Bulle
 Thomas Hale
 Phillip Hinkson
 Richard Cuñins
 Roger Hunniweft

The names of y^e Inhabitants of

East Saco

Mr John Bonithon

James Gibbins

Henry Waddock

Thomas Reading

George Barlo

Thomas Rogers

Itt is Ordered y^t the Inhabitants of Wells, Saco, & Cape porpus shall make sufficient high waies wth in theire Townes from howse to howse cleere and fitt for Carte and foote before the next County Court vnder the pœnalty of tenn pounds for euery Tounes Defect in y^s pticular. And that they lay out a suffieyent high way for horse & foote betweene Tounes & Tounes wth in y^t time.

The 5th July 1653 the Inhabitants of Cape Porpus being called according to their Sumons

Wee whose names are heerevnder written doe acknowledge

our selves subject to the Goūnem^t of the Massachusetts as
witnesseth our hands here vnder written./

Morgan  Howell
his marke

Griffin  Montagu
his marke

John Baker

Gregory  Jeferyes
his marke

Simon  trote
his marke

Toma wan^t y^e is Thomas Warner

William rrenolles Renolls

Pette^r  turbat
his marke

Steven  Batson
his marke

John  Cole
his marke

Christopher  Spurell
his mark

The m^rke of

Amb  rose Berrey

These also all tooke the oath of freemen y^e Day and yeere
above written : in open Court

Edward Rawson.

The names of y^e Inhabitants of
Cape Porpus

Griffin Montague
Edward Clark
John Cole
William Reinolds
Peter Turbutt
Gregorie Jefferi
Thomas Warner
Aurther Wormstaff

Ambros Berrie
 John Elsin
 Stephen Batson
 Christopher Spurwell
 Morgan Howell
 Simon Trott
 Rich : Moore

Grants.

Graunts to Wells Saco & Cape Porpus &c

5 July 53

Whereas the Toune of Wells hath acknowledged themselves subject to y^e Governem^t of the Massachusetts Bay in New England: as by their subscriptions may Appaere. Wee the Comissioners of the Gennerall Court of the Massachusetts for the selling of Gouvernment amongst them and y^e Rest wth in the bounds of their charter Northerly to the full & Just extent of their line haue thought meete & Doe Actually Graunt

1 That Wells shall be a Touneshipp by itself and alwaies shall be a part of Yorkeshire: and shall enjoy proteccon æquall acts of favor and Justice wth y^e Rest of the people inhabitting on the south-side of the Riuer Piscataq wth in y^e limitts of ou^r Jurisdiccōn & enjoy y^e priuiledges of a Toune as others of the Jurisdiccōn haue and doe enjoy wth all other liberties & priuiledges graunted to other Inhabitants in our Jurisdiccōn

2 That euery Inhabitant shall haue and enjoy all their Just proprieties titles & Interests in the howses & lands wch they doe possesse whither by Graunt of the Toune, possession, or of the former Gennerall Courts,

3 That all the p^rsent Inhabitants of Wells shall be freemen of the Countrie and having taken the oath of freemen shall haue libertie to give theire votes for the Elec^tion of the Gou^erⁿor Asistants and other gennerall officers of the Countrie.

4 That the said Toune of Wells shall haue three men Approoved by y^e County Court frome yeere to yeere to end smale Cawses as other the Tounshipps in the Jurisdic^tion hath where no magistrate is according to lawe & for this present yeere m^r Henry Boade m^r Thomas Wheelewright & m^r Ezekiell Knight are appointed & Authorized Comissioners to end smale cawses vnder 40^s according to lawe and further these Comissioners or any two of them are & shall be Impowred & Invested wth full power and Authoritie as a magistrate to keepe the peace, & in all civill causes to graunt Attachments & executions if neede Require any of the sd Comissioners haue power to examine offendo^rs to Comitt to p^rison vnlesse baile be given according to lawe And when these or any of these shall Judge needfull they shall haue power to binde offendo^rs to y^e peace or good behauior Also any of these Comissioners haue power to Administer oathes according to lawe

Also marriage shall be solemnized by any of the Comissioners according to lawe.

Itt is further heereby ordered & Graunted that for y^s present yeere m^r Henry Boade m^r Tho: Wheelewright: Ezekiell Knight Jn^o Wadly & Jn^o Gouch shall be y^e select men to order the prudentiall Affaires of the Toune of Wells for this yeere :

M^r Joseph Boules is Appointed Clarke of the writts, to graunt warrants Attachments &c

Mr Ezekiell Knight is Appointed to be A Grandjuryman for y^e Towne of Wells for one yeare. sworne./

Jn^o Saunders & Jn^othan Thing are Appointed And Authorized, as Sarjant^s to exercise the Souldiery heere according to lawe.

Lastly, Itt is Graunted that the Inhabitants of Wells shall be from time to tyme exempted from all publick Rates & that they shall Alwaies beare theire owne charge of the Courts &c. Arising from amongst themselves.

The like Graunts are made to y^e Inhabitants of Saco :/
y^e names altered

Mr Thomas Williams, Rob^t Booth & Jn^o West Comis-
sione^{rs} & select men as y^e other

Ralf Trustrum is App^ted grand Jury man, for y^e yeere &
Clarke of y^e writts Also sworne

Richard Hitchcocke is Appointed & Authorized as A sar-
jant to excercise y^e souldiery at Saco :

Itt is Ordered y^t the Sarjants of Wells by turnes shall goe
& excercise the souldiery at Cape porpus according to lawe
till y^e County Court in Yorkeshire or Gennerall Court on
theire nomination shall Appointe another

ffor Cape Porpus

Gregory Jefferyes grand Jury man, & tooke his oath

W^m Reignalls is allowed to keepe a ferry at Kennybuncke
and to haue 3^d a passenger.

The Cawse betweene Morgan Howell and Jn^o Baker is Continewed and Referred to be Determined by the next County Court in Yorkshire, & Jn^o Bake^r Doth Acknowledge himself bound in twenty pounds to Rich Russell Treasurer of the Massachusetts Jurisdic^{ti}on on this Condicon y^t he shall Appeare before the next County Court in Yorkshire, to Ans^r the said Acc^{ti}on or Complaint of Morgan Howell.

Jn^o Baker Acknowledgeth himselfe bound in twenty pounds to Rich. Russell Treasurer of the Massachusetts on y^e Condi^{ti}on y^t he shall be of good behaiour between y^s & the next County Court, and that henceforth he shall not preach publicly wth in y^s Jurisdic^{ti}on — making his Appearance at y^e s^d Court if he be wth in this Jurisdic^{ti}on: /

Protest July 6. 1653.

The Comissioners protest ag^t any exce^rcising of power &c.

Whereas we haue declared the right of the Massatusets government to the townes of Wells Cape Porpois, and Saco and the Inhabitants thereof being su^moned did appeare before us at Wells on the 5th of July 1653 and acknowledged themselves subject and tooke the oath of freemen and fidelity to the s^d Government which by us their Comissioners have appointed and setled a government ouer them we doe therefore heereby protest against all p^{er}sons whatsoever that shall challeng Jurisdiction or excercise any act of authority ouer them or ouer any other p^{er}sons to the northward inhabiting wthin the Limytts of our patents, w^{ch} doth extend to the latitude of forty three degrees forty three minutes and $\frac{1}{2}$ of northerly latitude but what shall be deriued from us the

Commissioners or the Generall Court of the Massachuset
Given under our hands at Wells in the County of York the
6th of July 1653

Ri. Bellingham
Tho Wiggin
Daniel Denison
Edward Rawson
Brian Pendleton

A Short View of M^{rs} Ann Masons Case Touching her
Lands in New England breifly Extracted out of her Patents
Captain Masons Will and severall Letters and Advises from
New England.

That Captain John Mason haueing bestowed great Charges
in discoveryes and preparations towards a plantation was
Enstated in fee by Patent from King James in severall
Tracts of Land in new England by the name of New Hamp-
shire and Masonia And also together with S^r Ferdinando
Gorges and other Associates in severall other Lands by the
name of Liconia lying near Piscataqua and Newichawanneck
by the Authoritie of the President and Councell of New
England

Appears by the Tenor of the respective Patents That the
said Captain Mason and Associates became Possessed thereof
accordingly Laid out great Sumes of money in Buildings
Mills carrying ouer of servants And families who still live
there And were Commonly owned and reputed as Lords of
those severall Territoryes and received fines Quitt rents and
other duties by virtue of the said Patents.

Appeare by the severall Letters and Advises
of m^r Godfrey Governo^r of Agomenticus :
Joseph Mason Agent for M^{rs} Ann Mason
and m^r Henry Jocelin Num^b 1 : 2 : 3 : 4 :
6 : 7 : 8 : 9 :

That Cap^t Mason by his Last Will gave out of his Share of the s^d Lands 2000 Acres to the Corporation of Kings Lynn in Norfolke for the Vse of the poore 1000 Acres to the vse of a schoole within the said Plantation 3000 : acres to S^r John Wollaston Kn^t : 2000 : acres to m^r Alderman Noel by Codicill 10000 Acres to Ann Tufton alias Gibbons the now Wife of D^r Gibbons ;

The remainder to his said Widdow dureing life and after to Robert Tufton a^{ls} Mason and his heirs the reversion to D^r Mason and his heires and made his wife M^{rs} Ann Mason Executrix and Dyed :

Appears by the teno^r of the said will and
Probate there vpon vnder seall of Cor^t

That there was a devisiion made by the said associates of the Land lyeing North-East from Pascataway And that Capt Masons Lott fell at Newichawanneck And Contains fifteen miles in Length and Three in breadth

Appears by a Coppie of the said Devission
Numb^r 10 And by the Letters of m^r Joseph
Mason Number 8 : 9 : And by the Letter
of Advise of m^r Godfrey number 3

That the great House att Pascataway and the house at Strawbury banke with the Isletts and marshes adjoyning remained In Comon to the said Associates vndevided and that Cap^t Mason was to have $\frac{2}{3}$ partes thereof.

Appears by the said Coppie of the Devission
numb^r 10

And the Letters of Joseph Mason Numb^r
8 : 9 :

That the Inhabitants of Ketterie and Agamenticus takeing advantage of the Death of Cap^t Mason & S^r Ferdinando Gorge &c and the absence of their heires have Devided great Quantities of the said Lands at Pascataway that lay in Comon to all the said Associates amongst 30 families of

themselves many of them being the servants & children of the servants of the said Cap^t Mason

Appears by a copie of the said Devission
Made att a meeting held att Strawburie
banke 6th September 1645 Num 11

And by the aforesaid letters of Joseph Mason
num^{br} 8-9

It appears by the Copie of a remonstrance of the present state of New England Vnder the hand of m^r Godfrey Govern^r of Agamenticus that the said Associates have suffered Losse in their houses at Pascataway (wherein Captain Mason had a large share) to the value of 7000^l And the said Cap^t. Mason and his widdow ouer and aboue in their owne particular 4000^l Damage. *

See the said remonstrance Number 7: That Cap^t Mason had built Saw mills vpon the river of Newichawanneck vpon his owne portion there which are since ruined and the materialls Devided amongst Cap^t Masons Servants vnder pretence of wages due to them to the great prejudice of the said widdow and parties Interested in the said will

Appears by the Letters of the said Joseph
Mason Num^{br} 8 9

That the said servants of Cap^t Mason refused to give any accompt of the said Materialls and other goods of the said Cap^t Mason of great Value which they have seized on to their owne vse viz^t m^r Roger Knight m^r Ambros Gibbons one Chadburn and his sonnes Wall Goddard & others

Appears by Letters from the s^d Agent Joseph
Mason Num^{br} 8-9

That ouer and above all this Da⁽²⁾mage there is a designe on foot by the said Servant and other tenants to Invade & posseese all the said Lands to their owne vse And in particular that one m^r Richard Leader vnder pretence that all Patents Made by authority of the Late King are voyd and

those Lands otherwise Disposed of by parliament as he pretends, But Especially bearing himselfe vpon the name & repute of m^r ffrost Secretary of Estate of England whome he pretends to have a stock of 2000^l In adventure with him on that very designe ; hath possessed himselfe of the Lands at Newichawanneck belonging to the widdow Mason and being more in value then all the rest of her lands in New England Is letting the same out to tenants vpon his owne accompt is building of saw mills where Cap^t Masons Mills formerly stood Cutts down her timber and hath in designe vtterly to Dispossesse the s^d widdow of her right there And in persuance thereof by the Compliance of Capt Masons servants & tenants who are loath to be brought to an accompt for their Deallings hath procured an order in fauor of his said designe from some of the Inhabitants of Ketterie

Appears by the Advise of m^r Godfrey num^{br} 3 and of m^r Jocelyn num^{br} 6 : and of Joseph Mason num^{br} 8-9

That the said Joseph Mason in the name of the said Widdow M^{rs} Ann Mason hath made his protestation in due manner against the said Indirect proceedings

as Appears by a copie of the said Protest num^{br} 5 : 2 :

That what is aboue & in these three sheetes Annext written is a true Copie of a paper in such parragraffs as was presented to the Generall Courts in y^e yeares 1652 and in August 1653 by m^r Joseph Mason in behalfe of M^{rs} Ann Mason as her Agent & Attorney & left on file being there-with Compared Attests

Edward Rawson Secret

Return of the Commissioners Ratified Sept. 5. 1653.

The Gennerall Courte of the Massachusetts
To the Inhabitants of Wells Cape Porpus &
Saco :

Having perused the Retourne of our Coñmissioners proceedings at Wells In July last in challenging Jurisdiccon and settling our Gouvernment in those part Conffirming the Rights and Graunting Priviledges to the Inhabitants there Wee Doe Rattify and Confirme the same and doe and shall expect obedience and Submission to this Goũnũmt and Doe promise Asistance and protection vnto them against any that shall by any pretence endeavor to Disturbe them and becawse wee vnderstand that m^r Cleaves pretends a title to those parts Wee doe therefore heereby will and Coñmand yo^w & eũy of you to Continew in you^r obedience vnto vs and to oppose and Resist any that shall (from or vnder him or any other then such as derive theire Authoritie from the Gennerall Court of the Massachusetts endeavor to excercise Jurisdiccon ouer yo^w :/

The Magis^{ts} haue past this wth Reference to the Consent of theire bretheren the depu^{ts} heereto

Edward Rawson Secret

5 Septemb^r 1653

Letter to Mr. Cleve, Sept. 5, 1653.

M^r Cleue according to your desire, wee tender this account of our pceedings at Wells Cape Porpoise Saco &c. In the yeare 1652 wee ordered some members of this Court wth two Artists to make a true discouery of the most North-erly branch of Merrimacke that accordingly wee might lay out the Northerly line of our Patent w^{ch} is to extend 3 miles

beyond the most Northerly pte of Merrimack riuer : which Line is to run throw the maine land of America from East to West in the Latitude of $43^{\text{d}} 43' 1\frac{1}{2}$ And in further psecution of the same Wee did in July last dispatch our Coñmissioners to Wells, Cape Porpoise, and Saco, to Challenge our right by patent ouer those parts, where the Inhabitants did voluntarily acknowledg themselues subject to this Goverment, and tooke oath of fidellity & freemen to the same.

Our Coñmissioners publishing a ptestation at Wells agst any person or psons that should challeng Jurisdiction or excercise any act of Authority ouer them, or ouer any other psons inhabiting wth in the Limitts of our patent (w^{ch} doth extend to the latitude of $43^{\text{d}} 43' 1\frac{1}{2}$ of northerly latitude) but what shall be deriued from the Genl^t Court of the Massachusetts. All which acts of our Coñmissioners wee haue ratified and Confirmed and shall endeauour by all lawfull meanes to maintaine & defend our just rigts in those parts granted unto us in our patent

Bost Sept : 5. 1653.

The magists haue past this wth
Reference to the Consent
of theire bretheren the dep-
u^{ts} heereto

Edward Rawson Secret
The Deputyes Consent wth o^r
honord magists herein
William Torrey Cleric'

Depositions.

The Deposition of Robert Mendom Constable of Kittery & John Tucker & Nikolas Lux sayth That beinge Required by the Marshall of Yorke to asist him & to keepe the peace in the leuings an execusion at m^r Gunnisons the: 20: of

Decem: 53: to satisfie a Dept to Cap^t Nikolas Shapleigh: when wee Came into the house wee saw the marshall begin to leuy his execusion vpon some pewter but m^r Gunnison tooke it away by violence the sayd m^r Gunnison goinge into an Inner Roome fetched out a sord & tooke m^r Norton by the shoulder & bid him Come forth a dores & he would shew him goods enough: but did shew none: wherevpon the fore-said Constable thrust the marshall bake & tooke away the sorde from m^r Gunnison: & many times m^r Gunnison dared the marshall if did medle with any theare one should dy for it: but sayd hee would shew him goods abrowde: but did not: but when wee weare oute hee lokt the Dore vpon vs & kept vs out whearat the Constable desired to Come in but he would not let him in: whearat the Constable sayde hee would breake open the dore: & m^r Gunison bid him Come at his perill then & take what follows also when the praisers went into the brewhouse to prayse such goods as weare leuied hee asked one of the prayzers what he did theare: & bid him bee gon & the sayd m^r Gunnison had a pistole Redy Charged as wee weare Informed: soe that the marshall durst not Cary any thinge oute of the house

Taken before mee this: 21: of Decem^r
53 opon oath

Brian Pendleton

"Deposition of William Reeves & Rich: Stone."

We hose nomes are hear vnderriten do teastifie that being at the howse of hygh Gollison whar thar did svm differrence a rise a boyte the leavelling of a exsievsen for m^r Nicholas shaplie wee did hear hygh Gollisen Dissier the marchall to for bar rifling his hovse and to go with him at the sam plase ond he wovld delliver goodes to hem as howses landes and other goodes to the vallie of the exsievsen and in Case ther: war not ennvfe hee shovld Com peasably in to his Dwelling

howse and tacke what he had thar and in Case thar war not ennvfe he shovld have his persen to prison with hem and this was evr again and a again in ovr hearring and mor when time shall serve wee shall tacke ovr othes when wee shall be Called—and fvrther did give to the marshall the lawe bvecke bidding hem lvecke in it and ackt a Cording to lawe and hee would not hender hem telling heim he Cvld not a Cording to lawe Cvm in to his Dwelling howse to tacke his bead and his goodes in his howse which war for his livlie hvede when ther war enowfe withovght as witnes our hands.

the marke of William Reeves

Richard
Ston witnes

Taken vpon oath the 22th of
Decemb^r 1653 :
before mee Brian Pendleton

Letter from Nic. Shapleigh

Worth Gent.

The occassion w^{ch} at this tyme Imboldens mee to trouble yo^w is : not long since I obtained ajudgment against m^r Gullison in o^r County Court at Yorke, w^{ch} judgment the saied Gullison did atteach, but since by mee Repleued, and Sufficient security givein to p^osecut y^e same. the Execution I haue taken out w^{ch} y^e Marshall hath leaued vpon diuers goods of his & ware prized according to law by two sworn men This no sooner done but y^e marshall & Cunstable ware By som deposistions sent yo^r worships desiering to lend yo^r pacientes to p^p vse them and vpon yo^r serious consideracion :

I humbly request yo^r worships to doe me right according to law in such cases p^ovided. soe y^t my Esstate may not bee thuse contemeiously detained from mee, not douting But yo^r worships will releue mee herein, w^{ch} I humbly Desier p this baror m^r Colcord who can fully informe yo^w of all y^e pticular Carages in this busines, thuse wth My respects vnto yo^r wor^{ps} I comend yo^w to y^e p^otection of the all mighty, Craueing leaue & Rest

Yo^r Wor^{ps} to Command

Nic : Shapleigh

Kittery y^e 16th of y^e 12^{mo} 53

Warrant.

To the Marshall of y^e County of Yorke.

Yo^w are by virtue of an order of the Counsell Dated at Boston the eleventh of march 1653. to Attach the body of m^r Hugh Gunnison and take sufficient securitie of him to the value of forty pounds binding him to Appeare before the next Gennerall Court of Election on y^e 6th of may next to Answe^r for his Resisting and Affronting the marshall in serving an execution on his estate to Answe^r a Judgm^t graunted ag^t him to m^r Nicholas Shapleigh and hindering him to Compleat y^e same hereof not to fail

By orde^r of y^e Counsell

Edward Rawson Secret

This Warrant was leavied and served by me Hen : Norton Marshall of York on the person of M^r Hugh Gunnison the 15th of Aprill and his suerties for his apearaunce at the Gennerall Court is Jn^o Twisden and Rice Thomas.

Letter, Ben. Gillam to Hugh Gunnison [and wife]

Brother & Sister Gullison, I am troubled p^eset: to heare & see w^t I did the day past at yo^r house, I would entreate you to follow after the things y^t make for peace, otherwise they will runne from you, Its a good thing to study to be quiett, I spoke wth Captaⁿ Shapleigh as he came vp in the boate & he delard to me thus much, y^t in Case you would desire yo^r things againe of him, you should still haue them and he would sett vp the furnaunce againe at his owne charge for you: I question not but as fare as I see he is on the same mind still, if he should desire security I shall be bound with you, & for you, in w^t he shall desire. I pray you lett yo^r poore children moue you to Consideration, if you should recouer at y^e last, I suppose it would not be æquiuolent to yo^r damage, & to make one another suffer in such Cases w^r it may be soe easily p^ruented, will proue very uncomfortable on all hands,

Thus hoping you will Consider of these things I rest

Yo^{rs} to serue you in loue Ben

Gillam

Kittery 23: March: 53:

A true copy of the originall of the letter sent to m^r Gullison by Ben: Gillā:

witnesse

Ed: Rishworth

Isake Neshe

y^s lette^r Ben: Gillam gives in on
oath: 14th May 1654

Edward Rawson Secret

Deposition.

The Deposition of John Daus being aged about thirtie foure
yeares

Sayth that hee heard the marshall of Yeorke say that hee was afraide that hee had gon Contrary to law in the leuinge an execution on Mr Gunnisons estate : & that he had made away his owne estate for feare of the saide Gunnison and further this deponent sayth that beinge in discourse with the foresayd marshall, hearde him say : Doe you [think] that I will demand of any man goods when I haue an execusion noe : but I will take what goods I please and further sayth not.

Taken vpon oath this. 18 of Aprill 54 before mee
Brian Pendleton

Deposition.

The Deposition of John Daus aged aboute thirty foure
yeares

This Deponent saith that beinge warned by the marshall of Yeorke to asist him in the execusion of a speciall warrant from the Counsell at Boston : on the estate of mr Hugh Gunnison, for Cap^t Nikolas Shapleygh goeing in Companie with him : that this estate of mr Gunnisons was not prayed to the north, and that one of the prisers did say that hee did not Regard how hee prised the goods : for hee knew the s^d Gunnison would not let them goe, & the s^d Daus told the s^d Cap^t Shapleigh that the prisers had gon Contrary to theare oaths : & the s^d Cap^t Shapleigh Replied what was that to him : let them sweare themselues to the Deuill : if they would : & further this Deponent sayth not.

Taken vpon oath this, 18, of Aprill 54 before mee
Brian Pendleton

Deposition.

The Deposhson of Richard Stone Aged Aboute ninten yeres Olde saeth that Aboute A wecke after that the goodes of hugh gunisonn ware prised for m^r Nicklis Shapley one of the prisers was thare which was Roberd Mendum and the wife of hugh gunison asced of Robert mendum why he did prise the goodes to somuch less and the saide Roberd mendum sayed that he did kno that the saide hugh gunisonn wolde not lit the goodes goe and tharfore he did not Regarde how he prised the goodes that he was m^r Shapleies man and he Chose him, and furdar saith not taken vpon oath the 21 of Aprill 1684

be for me Tho Withrs

Deposition.

The Deposition of Rice Thomas aged about 38 yeares This Deponent saith that being employed by John Treworgy to brew for the ffishermen att the house vppon the poynt wch m^r Gunnison bought of M^r Shapleigh, that John Lander and John Billin did Deny him the Cutting of wood vpon the Land, that he was foret to take it by leaue vpon his owne account from John Lander & John Billin. And further saith not.

Taken this 21th of Aprill. 1654
before mee.

Tho Withrs

Deposition.

The Deposicon of Robert Mendam Constable doth testifie that being warned by the Marshall to assist him in the execution of the leavying of the estate of m^r Gunnison, he coming & the Marshall to leavy on the estate, the Marshall did

not demand any goods of m^r Gunnison, but demanded of this Deponent to assist him, where this Deponent did reply I doe not see any affront, the Marshall replyde, noe, & stept to the shealfe, & tooke two pewter dishes offe the shealfe: with that, m^r Gunnison went to the shealfe and said he should not take any goods within his house when I haue enough without; rather then my goods in my house shall goe, wch are contrary to Lawe, when I haue enough without: my life and my goods shall goe together; I will shew yoⁿ goods enough abroad, & gaue him the lawe booke, & bid him looke in it, & acte according to Lawe and spare not, he would not hinder him; And withall, m^r Gunnison went into the next roome and fetcht his Rapier and came out, I standing by the Marshall, m^r Gunnison Laid his hand on his shoulder saying come, I will shew yoⁿ goods enough to satisfy yoⁿ. Then the Constable said to m^r Gunnison this is not a time to vse a sword; Then m^r Gunnison said to the Constable; here take it yoⁿ then; & I did take it, and kept it, but the Marshall would not goe out at m^r Gunnisons tender, but refused. And m^r Gunnison bid him act according to Lawe & he would not hinder him; tendering him the Lawe booke, againe, & againe, but he refused to Looke in it.

• Then I apprehended m^r Gunnison proffered very faire, I heard that m^r Shapleigh was at the next house, wch was neare bye, I went to him and told him what m^r Gunnison said; his answere was that the Marshall should goe on in what he was about & doe his office. Then I came into the house againe; the Marshall then immediately called me out of doors; before I could speake with him; the dore was shutt; then m^r Shapleigh bid the Marshall leavy on the goods without, but not touch any of the Land he sold to m^r Gunnison; then the Marshall charged me to assist him, m^r Gunnison being shutt up in his house, and he did leavy on the estate of m^r Gunnison, in howseing, Lands, Coppers,

Gunns & pewter to the value of one hundred and seaven pounds, wch was then praised; besides thirty and foure dishes of pewter, and further saith not.

taken vpon oath this 21th of }
 Aprill 1654 : before me — } Tho Withrs

All this aboue writting I testifi vpovn oath that it is the truth and none but the truth witnes my hand

John Tucker

This vnderwritting by John Tucker was
 written by his owne hand & taken vpon
 oath this 22th of Aprill 1654

before me

Tho Withrs

Deposition.

The Deposition of Joseph Miles : aged about 35 : yeares. Att a publique towne meeting about the time that pease weare ripe in [the] yeare 1653.

I did heare m^r Gunnison demaund of m^r Nicolas Shapleigh to come downe & to lay out his Land w^{ch} the said m^r Gunnison bought of & to bring downe his Deed : & m^r Shapleigh did say that he would come downe & doe what he Demanded of him in Case he would comply with him, & the said M^r Gunnison told him that he would. And further saith not

taken vpon oath this 21th of Ap^l. 1654.

before me

Tho Withrs

Deposition.

I William Reves aged 38 years or ther a bowte Doe teastifie that then belonging to John Treworthis barke Called the bachelor being a bowte 16 or 17 years agoe, hearing svm dispyte betwne John Treworthie and Phillip Swadn Con

serning the plase that John Treworthis howse then stvd on which is at piscadeway river, at the harbers movthe near the howse whar hvgh Gollisen last built I heard Phillip Swaden say whos land then it was to John Treworthie I give yov bvt leave to bvild yovr howse and to have fire egrase and regras from the water side to yovr howse and to the sapit and not else

Taken vpon oath this 20th of Aprill 1654
before mee Brian Pendleton

Deposition.

The Deposition of Joseph Alcock aged about twenty yeares

This Deponent being swoarne and examoned saith that being warned by the Marshall of York to assist him in the execuõon of a speatiall Warrant from the Counsell at Boston on the estate of Hugh Gunnison for Cap^t Nicholas Shapleigh the aforesaid Deponent did heare John Davis tell Cap^t: Nicho: Shapleigh I goeing in the company wth him; that this estate of m^r Gunnison was not vpprizd to the north and the said Davis told the s^d Cp^t Shapleigh that the vpprizers had gon contrary vnto theire oathes and the s^d Cp^t replied what was that to him: let them sweare themselues to the Divell if they would: And furth^r this deponent saith not

Taken vpon oath this 21th of Aprill 54
before me Edward Johnson

Deposition.

The Deposition of George Braunson beinge aboute 44 yeares
or theare aboute

Sayth that beinge at worke at the house of Hugh Gunnisons wheare m^r Shapligh, did alowe sixteene foote aboute the old seller, begin to DD some ground to Hugh Gunnison: &

going to stretch the line, was forwarned by Rise Thomas to DD any grownd theare, or to stretch the line theare, sayinge that the sayde Shapligh had noe grownd theare, & this deponent further sayth that after that time, himselfe & others beinge at worke a breakeing vp grownd for a garden, the sayd m^r Shapligh was theare present, & the s^d Rise Thomas came, then beinge the second time, to the s^d Shapligh, forewarning him, that theare should bee any grownd broake vp theare, and did alsoe warne the workemen hee left of at that time, & further sayth not.

Taken vpon oath this 22. of Aprill 1654
before mee Brian Pendleton

Concerninge the breakeing vp of the garden & what is abouesaid aboute Rise Thomas his forwarninge the workemen. I Thomas Crocket beinge one of the workmen. Doe alsoe testifie the same as is aboue written

Taken vpon oath this 22th of Aprill 1654
Before mee Brian Pendleton

Deposition.

The Deposition of Thomas Crocket aged aboute 43 yeares Sth for the tearme of 3. or 4. yeares that Sarah Liun widdow was Tenant to m^r Nicholas Shapleigh in an old house at the Rivers mouth at puscataquah & that the s^d Sarah had not any priviledge to the house, but the bare house onelie nott Could not Cut any wood withoute the Leaue of Lauender & Billin : & further sayth not

Taken vpon oath this 22th of Aprill 1654
Before mee Brian Pendleton

Deposition.

The Deposition of Robert Mendam aged 50 : & Joseph Miles aged 35 yeares.

Theise Deponents doe testify that there being some difference about levying an execution for m^r Shapleigh vpon the estate of m^r Gunnison, after the Marshall & the Constable was gone out of m^r Gunnisons dwelling house, & m^r Gunnison keeping himselfe in his house, the wife of m^r Gunnison came to the house next bye, where m^r Shapleigh was, & said her husband sent hir to tender them goods in her husbands behalfe, saying, hir husband sent hir, weh was there present, m^r Shapleigh, Edward Colcott the Marshall & the Constable with many others, she saying that if they wanted goods for theire execution according to lawe, there was goods enough without, they need not come into his dwelling house, to ruffle his house & to take his liuely-hood in his house; but if there were not enough of such Lands and houseing as she tendred without dores, she said he should take the house over his head & in case that was not enough, they should Come peaceably to his dwelling house & take what was there, & in case that was not enough they should haue his person to prison with him.

Taken vpon oath this 22. of aprill 1654
 be foor me Tho Withrs

Deposition.

The Deposition Thomas Crawly aged 36 : years

This Deponent saith that m^r Gunnison attached a Judgment of eighty pounds graunted to Nicolas Shapleigh a Court held at Yorke the 25th of October 1653. m^r Rusford graunted an execution the 14th of December following. In January this Deponent Demanded a repleivin at the Co^mis-

sion Court vpon a Judgment that was attached, of wch he was denied by m^r Rusford. ffurther this Deponent saith that vpon the 22th of March following there was by the said m^r Rusford a Repleivin graunted to m^r Nicolas Shapleigh againe against m^r Hugh Gunnison. Aprill the 21th 1654, this Deponent went to m^r Rusford & Demanded a Repleivin in the behalfe of Rice Thomas, and m^r Rusford said he would not let him have a Repleivin though he would give him in securitie, because he had graunted a Repleivin to m^r Shapleigh, & there was like to come some trouble vpon it, & soe this Deponent was foret to goe away without it. And further this Deponent saith not.

Taken vpon oath this 22th of

Aprill: 1654: before me

Tho Withrs

Deposition.

The Deposicon of Gowen Wilson of Kittery: aged 36: yeares.

This Deponent saith that when the Marshall came the second time to Deliuer m^r Shapleigh the goods formerly praised; M^r Gunnison & the Marshall had some discourse concerning their proceeding, And the Marshall being somewhat troubled whether he had not gone Contrary to Lawe or not, m^r Shapleigh pressing him to deliuer the goods; M^r Gunnison said to him, in Case he were doubtfull in the Case he should keepe the goods in his owne possession till a further tryall, and answere m^r Shapleigh the Debt, and he would put him in two hundred pounds securitie besides the goods, to beare him harmeles in Case m^r Shapleigh did cast him in this Case.

taken vpon oath the 24 of Aprill 1654

be foor me

Tho Withrs

Deposition.

The Deposicoⁿ of Gowen Wilson aged 36 : yeares —

This Deponent saith that he being present when the goods of m^r Gunnison were Deliuered by the Marshall to m^r Shapleigh without any molestation of or by m^r Gunnison w^{ch} goods were formerly leavied by vertue of an execution obtained by m^r Shapleigh. M^r Gunnison & m^r Shapleigh had discourse about the goods, in soe mnch that they came to this conclusion that night that m^r Shapleigh would let the goods remaine with m^r Gunnison two or three dayes till m^r Gunnison could come to him & bring a freind or two with him to see if they could compose the busines without any further trouble ; to wch they both agreed, & that m^r Gunnison did pmise that the goods should be responsible to m^r Shapleigh at all demaunds in case they could not agree, Then m^r Shapleigh riseing vp & goeing out of the house, came in againe, in a little space of time and told m^r Gunnison if he would conclude that night well & good : if not ; he was resolued in his way, for that he would conclude it before he went home, and soe the next morning he pulled doune the Copper & the still, with such other things as was extended & carried them away with him : further this Deponent saith not.

Taken vpon oath this 24th of

Aprill 1654 : before me

Tho Withrs

Deposition.

The Deposicoⁿ: of Gowen Wilson of Kittery, aged 36 : yeares —

This Deponent saith that being in the house of m^r Hugh Gunnison some Certaine time after the Goods of Hugh Gunnison were praised for m^r Shapleigh he heard Robert Men-

dam say that he did not regard how he praised them though he was chosen thereto, because he thought m^r Gunnison would not lett them goe.

Memorandid: that before this Deponent tooke his oath there was one word enterlined in the fourth line which was :
Regard.

taken vpon oath this 24th of
april 1654 befoor me
Tho Withrs

Deposition.

The deposicon of Phillip Swadden

This Deponent saith that John Treworgy had noe more graunted to him vpon the neck of Land, on weh m^r Hugh Gunnison now liueth in the great harbour of Pascattaquaek on Kittery side, but to build a house in the said Coue where m^r Gunnison now liueth, and to haue from the house to the well & alsoe to the water side free eagress & regresse. weh lay directly downe from the house to the water —

Taken this 24th of Apll. 1654 }
vpon oath before me — — }
Tho Withrs }

Deposition.

The Deposition of John Andrewes of Kittery: 54: yeares aged.

This Deponent saith that m^r John Treworgy had noe leaue or graunt to build any thing vpon the neck of Land on weh m^r Hugh Gunnison now liueth in the great harbour of Pascattaquaek, but onely a Magazeene house, or store house

with egress & regress from the same to the water side,
Neyther was there any more by him desired or any other
for him.

taken vpon oath this 24 of aprill 1654
be foor me Tho Withrs

Deposition.

this I Bengimine Gillam depose further
vpon y^e oath that I haue taken as
followth

That I & Mark Munns sent for m^{rs} Gunnison by Goye
Wilson to George Waltons & thare tendered her y^t if shee
would accept of y^e Copper againe wee would paie for it at o^r
owne charges & shee would not be beholding to Cap^t Shap-
leigh attall, & set it vp at o^r charge m^{rs} Gunnison answered
y^t shee thanked vs for o^r loue but shee could not accept of it
because it would mar or wrong her Case & her husban was
not at home, further y^e depon^t sayeth y^t he heard Cap^t
Shapleigh tender m^r Gunnison security that he should
Injoye his land in case he would pay fort, & no man should
molest or hender him of it, & this proffer was made by Cap^t
Shapleigh before any of y^e goods was sturd or mooued, &
likewise y^e s^d Cap^t Shapleigh did offer y^e s^d m^r Gunnison to
refer all diferences w^{ch} he pretended betweene them to indef-
erent men. Except y^e Executon & a busines of John Tre-
worgys & if any thing fownd due vnto y^e s^d Gunnison hee
would paie him p^rsently to content, & this I suppose had
beene accepted had not Cap^t Shapleigh & m^{rs} Gunnison
differed in som words, & y^e deput vsed all meanes for peace
by letter & other wise whareof I haue giuen a true Coppie
to y^e Court, the depon^t alsoe sayeth that Cap^t Shapleigh
tooke drinke & drunke it at George Waltons wth a protes-
tation y^t thare could nothing appeare against him consering

y^e makeing ouer his land, & further sayed that he had not past his Estate out of his hand to any man.

Sworne in Court 12th May 1654

Edward Rawson Secret

Deposition.

the deposiecion of m^r Benjimine Gillam Eaged
45 years or thare abouts and m^r Marke Muns
Eaged 30 years or thare abouts doeth depose
to y^e trueth of all y^e perticulars here vnder
writen,

This Deponants testifie that he being at m^r Gullisons one
y^t 23th of y^e 1^{mo} 53. at w^{ch} tyme Nicho : Shapleigh was thare
about leaueing an Execution, one certaine goods and houses,
at w^{ch} y^e s^d Gullison & his wife ware much Trobled, vpon
w^{ch} occastion the depon^t Spoke to Shapleigh y^t hee would
let alone the ffurneses & other things as the ware in y^e s^d
Gullisons hand to w^{ch} the s^d Shapleigh answered y^t he would
doe any thing y^t was racionall: w^{ch} all desiered the depon^t
to Speke to m^r Gullison y^t if he would come & desier y^e s^d
Shapleigh to Let all things remaine as y^e ware, he would
willing leaue them; this was before y^e furneses were medeld
wth all, but when s^d depon^t went to m^r Gullison to Intreat
and pswead him to goe to y^e s^d Shapleigh to intreat him to
leaue y^e things, m^r Gullison made answar That he would not
speake to him in no Case, but saied let him doe what hee
pleased; alsoe the depon^t sayes y^t after all was ended, that
he heered y^e s^d Shapleigh profer vnto m^{rs} Gullison y^t if shee
plesed they might remaine In y^e house & make vse of y^e
planting growend for due consideration, & if any thing was
vnder vallued he told them y^e might haue them at y^e same
price.

Sworne before y^e Court 12 May 1654

Edw. Rawson Secret.

Deposition.

Marke Munns aged 30 yeares or there-
abouts Depouseeth and Saith

Being at Pascataqua on occasion at y^e house of Hugh Gunison where, and at which time, there Came Mr. Shapleigh and y^e Marshall wth him whoe by virtue of a speciall warrant Seized vppon y^e goods of M^r Gunison ffor M^r Shapleigh and deliuid them vnto him wherevpon m^r Gunison then by the Marshall attached the said Goods: mr Shapleigh forthwith Repleived them saying hee had it Ready Cutt and Dryed, M^r Gunison seeing y^t his goods were layd fast hold of, Came to m^r Shapleigh and Desired him y^t he would bee pleased to lett y^e goods stand, And hee as soone as he Could would giue in security for them or else bring twoe or three men either to m^r Shapleighs house or else where to see if they could end it the goods in y^e meane time to remaine as they were: & if they could not agree then m^r Shapleigh to take his Course: wherevnto m^r Shapleigh seemed to Consent reserueing his power still in his hand, Soe M^r Shapleigh went forth M^r Gillam being without dores, and when hee came in againe hee said yf yoⁿ will nott end the busines now I will take my Course: wherevnto m^r Gunison Answered M^r Shapleigh if you will stand to what hath bin tendred So: yf nott you may take yo^r Course ffor it is verry late & I am very weary and cannot at this time aggitate any Longer, & forthwith went to bed: the next Morneing I came forth & I Askt m^r Shapleigh w^t they wold doe whether they wold agree or not, Mr Shapleigh said, no, they stand off as they did last night: Soe Mr Shapleigh Called the Marshall to deliuer him y^e goods; whoe did soe, saying there bee yo^r goods take them &c: Then Mr Shapleigh went himselfe to pull y^e goods downe and Desired My selfe and some others by to assist him I refused & soe did others to medle with other mens goods—Notwithstanding

mr Shapleigh went on & puld downe y^e still first & while hee was soe doeing I intreated him to let them stand & hee said If Hugh Gunison will ask mee I will: Then I went to mr Gunison & desired him to speak to Mr Shapleigh: & hee replied hee had allready: askt him and durst not goe in againe as hee shold bee pvoackt by seeing his goods soe abused &c, soe wth mr Shapleigh had donne my selfe & some others ffor y^e safety of y^e goods sake helpt them into y^e boate least they should bee damaged by bruiseing: & further sayth nott

taken vpon oath the 15th of the 3^d m^o 1654
before mee Increase Nowell

Whereas there is a Complaint or an action By Mr Shapleigh against Hugh Gunison ffor not pformeing a Covenant of eighty pounds, my Desire therefore is Respite of tryall on these grounds, ffirst the shortnes of time, it being a speciall Courte & I not pvided and ffurther seeing y^t these Ingagements Ly on mee ffor Mr Shapleigh. —

ffirst goods delliverd Mr John Treworkey	20 : = 15 :	03
H: more goods & moneyes DD Mr Shapleigh	14 :	08 : 06
H: A sellar which Mr Shapleigh detayneth at Pasquai ^{ts}	07 :	00 : 00
H More I am bound in Bond for Mr Shapleigh vnto Cap ^t Leverit of Boston	30 :	00 : 00
H More I am Charged By Mark Hamms ff dead ffraught ffor Cap ^t Leueretts pay being not Ready when his Boate Came —	04 :	00 : 00
H more Mr Shapleigh hath in his hand due to me as hee is treasurer ffor y ^e Countrey	36 :	06 : 05

And farther this Couent is ffor A trackt of Land y^t I cold never yett gett Deliuered By M^r Shapleigh nor Bounded according to Couent And to informe yo^w that this tract of Land is now sold and Morgaged three times as Records & prooffe will make appeare & farther himselfe hath Declared what estate hee hath is sure from him or any else, and this tract of Land hath bin Demanded by mee of M^r Shapleigh seuell times And the Last time in A publique towne meeteing & yett nott Delidd and this Land lyeth in difference which hee Layeth Claime vnto) By three men, and for the Cleare-ing of it A petcōn was p^rfered to o^r Court by my selfe and granted to y^e deuideing this Land: & men appoynted and a day sett & was never regarded by them, But by my selfe & therefore my desire is y^t these sales and Morgages may by Cleared, seing no Cleare estate can be found of M^r Shap-leighs: H: Tryall pceed & I shall & will make good my ingagements this being donne —

17 May 1654.

To the Marshall of the county of yorkeshire or his Deputy
22 of March 53

You are required to repliv the goods of M^r Nicholas Shapley w^{ch} are attatched by m^r Hugh Gunnison, or any other to the valew of one hundred and twenty pounds p^rvided that m^r Shapley giue bond to the valew of two hundred wth sufficient suerty or suertyes to psicute his replevy at the next Court holden for the County of York: and from Court to Court till the case be ender and to pay such costs and damāges as the said Hugh Gunnison by law shall recover ags^t him.

"Copy of the last Replevin of the goods attached."

Imprimis one brueng copper	^{li} 15.	0.	0
It one still and worme at	12.	0.	0
It for two small gunns w th			
the carreges	2.	0.	0
It for his dwelling house wherein he lites	60.	0.	0
It for 34 peuter dishes of great and small			
peuter one shilling six pence p pounce			
It for the house and land w ^{ch} was			
formerly Launderers	18.	0.	0

The vpprizers were Robert Mendum and Jn^o Deamant
being swoaren

These goods lands and chattles abouesaid being formerly
Mr Hugh Gunnisons was leavied and served by way of
execucōn by me Hen. Norton marshall the 21th of December
53 to satisfy a deabt of m^r Nicholas Shapley of 88^{li} 9^s

17 May 1654

To y^e Houno^d Gouverno^r Deputy Governo^r Mag-
istrates & Houno^d Deputies of y^e Generall
Courte Now assembled in Boston the Humble
Peticon of Hugh Gunnison Humbly sheweth

That by some Request of Nicholas Shapleigh to y^e Gou-
ernor & other y^e magistrates of this Jurisdiction ffor the
calling of a speciall Court in y^e County of York and y^e great
necessitie M shapleigh p^rtended to y^e Magistrats ffor such a
Court, Soe a warrant was granted as yo^r petitioner conceives
for y^e Calling a speciall Courte for y^e suppressing disorders
by psons that disturb y^e peace of those pvinces that newly
Came vnder the obedience of this Jurisdiction, Soe vpon y^e

25th of October last a Courte was Called at York, and instead of Calling psons to accompt y^t were y^e disturbers of y^e pvince, Civell actions against ptie and ptie were called, Soe that y^e houno^rd Gouverno^r and magistrates are much abused, that their Comission for a spetiall Courte was nott attended vnto, and not to make a County Court of a speciall Court, in soe much that y^e inhabitants findes themselues greived to bare y^e burthen of such Courts which is Contrary to their liberties.

Soe not only others were brought to tryall vpon Cyvell actions But yo^r petitioner by M^r Nich shapleigh was likewise brought to tryall, who demanded of y^t Court, by what power hee w to ansere Contrary to Law, being but a speciall Court

disturbed y^e peace of ptes

he pduced, nor read in y^t Court but answeare was made it was sufficient y^e Court had it, wherevpon yo^r petitioner Re

Issue with M^r Shapleigh : Soe y^e Courte and Jury tooke Cogni of M^r Shapleighs Cause and granted him a Judgement on this Judgement Comes out execution for m^r Shapleigh with y^e Marshall of Comes to leavie it vpon yo^r petitioners estate & yo^r petitioner would haue shewne him Goods without Dore, but this would not serve his turne, but very Ruggedly enters yo^r petitioners house seizeth that, his pewter, brewing furnace, still and worne, and planting feild gunnes and other amunition and would haue taken away y^e bedding of my family, when this was donne before it was Carried away. yo^r petitioner Attached these goods to answeare yo^r petitioner in an action of Review at y^e next County Courte to bee holden at York, but at y^t instant a Repleive was granted vnder y^e hand of M^r Rushworth Clark of y^e Courte of Soe pulls Downe y^e furnace and still, carryes away y^e Gunnes, which is done as yo^r petitioner Conceives all Contray to Law : to his vtter vndoeing, and quite dis-

abling for y^e future ffor to carry on his Calling to y^e may-taynance of himselfe and famyly, but much more may bee said, of M^r Shapleigh his Carriages in y^e p^rmisses: But yo^r petitioner is loath to bee over troublesome: Desires that by Declaration hee may have full Liberty to make his pleas before this houno^d Court:

1 Your Petioners humble Request to this houno^d Court is that yo^w will bee pleased to call for the Warrant By which this Court was Calld, by which yo^w will finde y^t y^e warrant was directed especially to Majo^r Daniell Denison, that he was to sit in that Court but hee Came not neither doe yo^r petitioner Conceive had notis thereof nor was there a full Court of Magistrats and associates, for there was but one Magistrate and two assotiates which could not bee a Court according to Law:

2 Secondly: that M^r Shapleigh his petition to the Governo^r and Magestrates may be brought forth, by which it will appeare w^t p^rtenses hee made for the obtayneing of such a Court which will evidence that M^r Shapleigh Saruptitiously obtayned this Courte to Carry through his owne pollitick ends, to the discontent of the inhabitants, who are Con-strayned to beare the charge of this vnnecessary Courte.

3 Thirdly that yo^r petitioner may have order for y^e Restoreing his goods againe from M^r Shapleigh wth Such Just Recompence as this hon^d Court shall think fitt for taking his goods away.

4 ffourthly y^t a full heareing may bee granted yo^r petitioner
bate the wholl Cause and his greivances
before this houno^d Court that soe y^e truth may appeare the
houno^d Magistrates
ties will bee the more
houno^d by the people, God have his glory & yo^r petitioner
Righted according to equity & as in duty bound shall dayly
pray for yo^r eternall Happiness: /

Petition of Nic. Shapleigh.

To honored Counsel or Court of Assistance nowe
Assembled at Boston

The humble

petecion of

Nicho. Shapleigh

Sheweth that whereas yo^r peticon^r had a Judgm^t
and Execution from y^e County Court of Yorke
Against y^e pson or Estaet of m^r Gunnison weh
was Leaued vpon sertain goods & praized
according to Law, but rescued by y^e s^d m^r
Gunnison, where vpon yo^r peticon^r humbly
Complaineth to yo^r wor^s for Releefe herein & yo^r peticion^r
shall euer praie for yo^r wor^s &c :

Yo^r Wor^s to Co^mmand

Nic : Shapleigh

Petition of Edward Godfrey 1654.

To the Hon^r Gou^eer Deputy Go^r the mar^{ts} &
Deputies of the Court now assembled the
Humb^l petition of Edward Godfrey of the
Towne of Yorke

Sheweth that hee hath binne a well willer Incourager &
furtherer of thes Collones of Nue England for 45 yeares past
& aboue 32 yeares an aduenterer one that desine & : 24
yeares an Inhabitant in this place the fyrst that euer bylt or
setteled ther : some 18 yeares passed by oppression of Sir
firdinando Gorges was fforsed to goe to England to p^euer a
a Patten from the Counsell of New England for him selfe &
parteners the South sid to Sir Firdnedo Gorges & onely the
North sid to him selfe & diuers others his assosiattes.

Certen yeares after some settelment the Inhabittance petitioned to haue other lands laid out & deeds for the same w^{ch} was granted and by that occation the whole Bounds of the Pattent were deuided as vppon Record appereth but sence that time the Inhabittance haue binne soe Bould as amongst them selues to share & deuide those lottes & ppor-tions of land as ware soe long time sence allotted being not proportionable & Considerable to our great Charge as by a Drafft of the Riuer & diuision of the same will appeer to this Ho^s Court this diuision was made by order of Court & by all frely alowed in An^o 40 & 41 and sence when wee came vnder this Gouverment Confyrmed as will appeer,

And the proportions to bee lesse then many that came saruantes all the marches almost disposed of by the Inhabittance & ys petito^s Rentes & acknowledgments detayned hauing not marsh left him to keepe 5 head of Cattell in this Cause it pleased the Council to send a Summons to the Inhabitances & some of Yorke by name w^{ch} I heere was faithfully & safe deliuerd vnto them in time w^{ch} I p^rsume they will obeye

Humbly desireth his Cause may bee heard & Judicated by this Ho. Court

The magis^{ts} desier the Case in y^e peticone mençoned shall be heard by y^e whole Court on y^e fowe^rth day next desiring theire bretheren the Depu^{ts} Consent hereto.

30 october 54

Edw Rawson Secret

The Deputyes Consent hereto

William Torrey Cleric

Complaint of Edward Godfrey Nov. 2. 1654.

In the Case of m^r Edward Godfry^s Complaint against the
Toune of Yorke about^t Lands.

Itt is Ordered by & wth consents of y^e s^d m^r Godfry and
m^r Edw : Rushworth in behalfe of the Toune of yorke that
m^r W^m Worcester shall be and are heereby Appointed Com-
missione^{rs} from this Court to heare and determine all the dif-
ferences between y^e s^d m^r Godfry and the Toune of Yorke
in referenc to a meete proportion of lands to be Allowed y^e
s^d m^r Godfry according to his demerritts, as also for his
charge in Attendanc on y^s Court and the said Comissione^{rs}
are heereby desired to make a full end of this buisenes by
y^e last of Aprill, 1655.

the magis^{ts} haue past this wth Reference to the Consent of
theire bretheren the deput^s heereto

2 Nouember

1654 :

Edw : Rawson Secret.

The Deputies Consent hereto

William Torrey cleric

To the Inhabitants of Yorke

Whereas m^r Edward Godfrey hath Complained to this
Court of vnkind if not unjust dealing he hath mett wth
amongst you in reference to a meete proportion of land sut-
able to his endeauours charges and claines, that we might
putt a convenient and comfortable issue to this difference
betweene you we haue Co^mmissioned (wth both your con-
sents) m^r Worster m^r Brooke & m^r Hill to heare & deter-
mine the case before the end of April next and doe desire &
expect that you will readily attend such conclusions as they

shall make, and p^rvent any cause of further Complaint on his part, which seemes not to haue beene wthout cause :

2 Nouember 54

The magis^{ts} haue past this with
Reference to the Consent of
theire bretheren the depu^{ts}
heereto.

Edw. Rawson Secret

The Deputies Consent hereto

William Torrey Cleric.

The meaning of y^t Court is that each particular p^{er}son concerned is included as well as the Towne joyntly in the busines above mentioned

8 Nouember 1654 voted by y^e magistrates. /

Ri. Bellingham Gov^r

Consented to by y^e Deputyes

p Richard Russell Speaker

Petition of the Inhabitants of York.

To the Hono^rd the Generall Court now assembled at Boston,

The Humble petition of the Inhabitants of the Towne of Yorke

Sheweth

That where as there was certen Complaynts exhibited aganst us, the Inhabitants of the s^d Towne, at the Last sitting of the Generall Court, by Mr. Edward Godfrey, declaring as if we had unjustly detayned seuerall of his Lands & Impropriations from him : ffor the rectifying w^of, this Hono^rd Court taking cogniscence soe fare as to Co^mmissionate Certen Gentle[~] with the consent of βtys yrin concerned, to heare & determine such matters of difference as

were betwixt us: Accordingly a hearing was attended by the Comissioners, a retorne of there resolutions haue beene transmitted to us, although dissatisfactory, for these reasons, ffirst because it confirmed to Mr Godfrey such generall unknown grants, & Consequently rights, as at p^rsent cannot be known to us, in certenty, althoe hereafter more may be known therein to our p^riudice. 2ly because it is not comensurate with the minds of the Commissioners them selues openly declared to us in Justification of our dealings with Mr Godfrey, w^{ch} there retorne absolutly denys. 3ly Instead of excluding all other pleas (Mr Godfreys onely excepted) w^{ch} the Commissio^{rs} seemd principally aymed at, haeth by Casting vs as the Injurious, rather opened a wider doore for all others to come in as sharers in the like rights, whose grounds are æqually valid with Mr Godfreys. 4ly respecting the charges given, The Towne in generall

comission^{rs} in

y wrong

they could p^rceave to Mr Godfrey :

How there

must be censured to satisfy any whom there p^rsons haue not wronged, we leaue to the wisdom of this Court to Judge.

Our Humble request therefore to this Hord

Court is that they would be pleasd to take into consideration, how little safety may follow the Confirming of vnknown grants, how great præjudice must redowne to the well being of a Towne, w^r considerable quantitys of Land are dispos'd of to p^rticular p^rsons in conuenient places for the settling thereof; And how fare either in reason or Justis, p^rsons, Can be ingag'd to any charge towards such, whome they haue not wronged; ffor Judgem^t w^rof, we submissiuely attend

the Just pleasure of this Court, with
whom we leave o^r Cause, for whose guid-
ance & direction herein, as in all matters
of greater weight, humbly taking our
leaues, we pray vnto the Euerlasting
Counsellor to assist & Counsell

Ed : Rishworth

Abrā. Preble

Edward Johnson

Henry Norton

Artho^r Bragdons *A* mark

Willme *W* Dixons mark

Silvester *SS* Stouer his mark

Richard Bancks

John

Joseph Emerson

ffrancis Raynes

Peter Weare

John Alcocke

Nicholas Dauis

The mark *HD* of

Henry Dunnell

Robert Knight his marke *P*

Will : Hilton

Thomas Curtis

Ed : Start *+* his mark

Andrew Everest

John Perse *P* his mark

John Parker *S* his mark

Georg *A* Parkers mke

Return April 20, 1655.

We whose names are vnder written beinge appoynted comission^{rs} by y^e Gen^{rl} Court held boston y^e 6th of nou^r (54) for y^e hearinge & determininge of all differences betweene m^r Ed: Godfrey & y^e towne of yorke after due inquiry, made thereinto, haue determined as ffolloweth:

Inp^r

That all such grants of land as haue beene made by m^r Ed: Godfrey to any person or persons, we confirme y^e same to him, & them according to his agreement made wth them y^e fst: whereof are as ffolloweth:

Acres of vpland & meadow

To m ^r Hef ⁿ : Norton	40	0
To Rich: Bankes	10 & a p ^r sill of swampe	
To Edw: Wentum	30	6
To Tho: Curtus	10 & a p ^r sill of swampe	
To John Twisdell sen ^r	10 & a p ^r sill of swampe	
To Rich Burgis	10	0
To Sam: Adams	10	0
To Siluester Storer & partners	30	0
more to Rich Burgis	40	0
To Phillop Adams	40	0
To Witt. More	40	0
To Peter Wire	100	0
To John Gouche	100	0
To m ^r Preble	020 & a p ^r sill of swamp	
more to him	10	0
more to him	20	0
To John Alcoke	10 & a p ^r sill of swamp	
To y ^e ministers house	0	6
To Phillop Adams & m) more	0	4
To m) Ellingham & Hugh Goyle	50	5
To George Parker	08	0
To Andray Evrit	06	0
To Phillop Adams	40	0

Likewise we Confirme all other grants made by y^e sayd m^r Godfrey before y^e day of y^e date hereof:

2^{ly} We Confirme to y^e sayd m^r Godfrey his' heires & Assinges for euer all such landes as belonge to his house on y^e North side of y^e riuer continge 30 acres more or lesse of vpland wth three acres of medow:

Alsoe 50 acres of vpland lyinge below y^e tide mill by y^e riuer side, provided y^t y^e pyne timber be reserued for y^e townes occations

Alsoe 500 acres of vpland lyinge on y^e necke of land betweene the too branches of y^e sayd Riuer, to be layd out to him by the towne next adjasent to such grants as he hath there formerly made:

Alsoe 200 acres of vpland lyinge on y^e south side of the sayd Riuer acknowledged by the Inhabytants to be his

3^{ly} Nor conserninge y^e marsh land in y^e towneship vpon due search we find y^e Compl^{nt} thereof not to exceed 260 acres his grants thereout beinge confirmed as before expressed: we doe moreouer confirme to him 8 acres of Medow more or lesse lyinge at y^e partinge of y^e Riuer, Alsoe 7 acres more or lesse of Marsh lately made vse of by John Twisdell sen^r wth 3 acres more of good marsh to be layd out to him by the sayd towne in some conuenient place, All w^{ch} sayd parsells of lands wee confirme to him his heires & Assinges.

lastly Conserving the said m^r Godfreye's his charge in attendinge the sayd Gen^{ll} Courte we doe determine y^t the sayd towne shall alow him fve pound in corrent pay wth in six weeks after y^e date hereof.

These our determinations beinge accordinge to our best

lyght just & equall, we intreate m^r Ed. Godfrey & the
towne of Yorke to take in good parte
ffrom

Dated this 20th off Aprill 1655 Their verry loueinge ffrinds
William Worcester
John Brocke
Valentine Hill

*Commissioners to make review of their Return May 26,
1655.*

Whereas m^r William Worcester m^r John Brocke & m^r
Valentine Hill were Chosen as Comissiono^{rs} by this Court &
Invested with full power to heare & Determine all matters
in diffrence betweene the Towne of Yorke & m^r Godfry in
relation to the graunts of Certaine lands which accordingly
they haue endeoured to doe & made their returne to this
Court against which the Inhabitants of Yorke haue made
some objections, Respecting the Confirmation of vnknowne
graunts made by the s^d m^r Godfry before the date of their
Returne as also the graunts of land p^rjudiciall to the Towne,
which this Court having Considered off Doe thinke meet to
reinvest the forestd Comissio^{rs} wth full power & doe hereby
desire them wth all Convenient speed to make review of
their returne & if it may be by Consents of all psons
engaged to Compose the same out to mutuall satisfactiō or
if otherwise to make vse of such their power to Correct or
amend what they in their vnderstandinge vppon further infor-
mation shall appeare to be of euill Consequence to the
Towne or any pson Concerned therein

the Deputies haue past this to be an answer to the peti-
tion of Yorke & Desire o^r honord magist^s Consent hereto.

26:3^d:1655

William Torrey Cleric.

Consented to by the magist^s

Edw : Rawson Secret

Answer of John Bonython Sept. 8, 1655.

To the Com^{rs} of Boston who have granted a warrant to apere against me [at] Boston, my ancer is I decline to obey yo^r lawes be Caus I am sworne to vp hovld and maintain the lawes of England established by the Parlament and this law Confermed by a late Comission from the Counsell of state I would hav you to knowe that I dwell in no land of yo^{rs} be cawes I have a Patten before yo^r I would have yo^w to knowe that I will defend my selfe with my life I am no Coch man but a gñt man free borne as the best of yo^w I saie more when itt doth apere that the goverment doth be longe to yo^a and that m^r Rigby hath nothing to doe here then I will obay yo^r lawe thus I rest yo^r as I see cawes

John Bonython

Sacoe 8th

Septembe

1655

Letter

Toune of Wells letter & Goũ & Dep^t Goũ Ans^r 19 March
55.

Gent^a

Yo^r letter subscribed by Jn^o West in yo^r names and behalfe bearing date 12 $\frac{1}{mo}$ 56, having binn pervsed by ou^r Goũnor and Deputy Gouverno^r I am Required by them in Answer thereto, to signify, to you, that they take notice of yo^r faithfull and christian desires to Continew in subjection to this Gouvernment w^{ch} that yo^w might the better doe, haue endeavored to Informe yo^rselves of our Courts Actings in reference to m^r Cleaves his pretended pouer &c.

Gent^a Assure yourselves our Court Accounts it much beneath themselves to Act in the least way of p^rjudice to you no^r shall they willingly Renounce their right of Gouvernment ouer those y^t line wth in ou^r Pattents thô yo^u cannot but take notice y^t your Ease more then their profit hath

binn Aimed at. I haue by like order sent yow, Inclosed a true Copie of our Courts Ans^r to m^r Cleaves his proposicōns : and therefore if he or any other in his name or by his order shall Come amongst you & disturbe y^{or} peace by making any challenge to the place or excercise any power amongst yow. Itt is the minde of ou^r Gou^{no}r and Deputy that yo^w Seaze on such person or persons and forthwith send him or them wth any Instruments they shall bring to Boston vnder a sure guard that so he or they may Ans^r for such their disturbance or take good securitie for his or their Appearance before the next genn^l Court. and what else may tend to yo^r further tranquillitje & Comfort in such Respects, if you give notice thereof to our Gennerall Court in May next they doubt not but yo^w may expect a meete Ans^r not els but my kind Respects to m^r Boad m^r Whelewright m^r Knight & the Res^t of yow as named : Remaine

you^r very loving freind

Boston 19th march 1655

Edward Rawson Secret

56

Itt is Ordered that the warrant herevnder exprest shall Issue out of this Court to y^e Connstables of Sacho to take such Aide as he or they shall Judg meet to seaze on the person of Jn^o Boniton & bring him to his Ans^r for his Abuse of Authoritye &c as in y^e warrant is exprest

24 May The magist^{ts} haue past this wthreferenc to the
1656 Consent of their bretheren the depu^{ts} heereto
 Edw^d Rawson Secret.

To the Connstables of Saco & to Such as the Connstables shall requier to Ajde & Asist them in that service

Yo^w are by virtue of an Order of the Gennerall Court sitting at Boston the 29th of May 1656 heereby required

forthwith to repaire, to the dwelling place of John Bonithon at Sacoe & there or elsewhere to seaze on the person of the said John Bonyton & him safely to Convey to Boston Prison vnlesse he shall Giue good Securitje of Knowne Inhabitants of this Jurisdiccōn for his personall Appearance before the next session of the Gennerall Court to Answer the Complaint of John Stone for beating of his servant refusing to obey the order of the County Court at yorke in the yeare 1655 for the payment of Rates as also for his abusive letter to the Gennerall Court And If any Inhabitants there shall refuse to Aide or Asist the Connstables as abouesaid that their names be retourned to the County Court at yorke, there to be proceeded against according to lawe.

The magist^{rs} haue past this wth reference to the Consent of their bretheren the deput^s heereto

Edward Rawson Secret

Consented to by the Deputyes

William Torrey Cleric.

To: The Constable of Sacho & to such as the
Constables shall require to aid & assist them
in that service

Yow are by virtue of an Order of the Gennerall Court sitting at Boston the 24th of May 1656, heereby Required forthwith to Repaire to the dwelling place of John Boniton & there or elsewhere and to sease on his person & him safely to convey to Boston Prison vnlesse he shall Give good securitje of knowne Inhabitants of this Jurisdiccōn for his personall Appearance before the next session of the Gennerall Court to Ans^r the Complaint of John Stone for beating of his Servant Refusing to obey the orde^r of y^e County Court at yorke in y^e yeare 55 for y^e payment of Rates as also for his Abusive letter to Gennerall Court & If any

inhabitants there shall refuse to aide or assist the Conestable as abouesd That their names be returned to the Countie Court at Yorke, there to be proceeded against according to Law, heereof y^{ow} are not to faile. Dated at Boston the of May, 1656 :

E R S :

Order of Court, May 29, 1656.

Whereas this Court is informed of seuerall neglects of the Inhabitants of Yorkshire in not being furnished wth sufficient Armes, Pouder &c, as the law requires, there being no Generall officer at present to call persons so neglecting to an Account It is therefore Ordered, that Cap^t Nicholas Shapleigh shall henceforth haue power to call together the cheife officers of each Company within the said County to examine such abuses and defects as may or shall arise amongst them :

And is heereby Impowred to Act therein as a Major may & hath power to doe in the like case till the court shall take further Order therein.

The magis^{ts} haue past this wth reference to the Consent of their bretheren the depu^{ts} heereto 29 May 1656

Edward Rawson Secret

Consented to by the Deputyes

William Torrey Cleric.

Letter Edward Rishworth to Gov. John Endicott.

August 14: 1656 :

Right Worship^{ll}

I haue not beene wanting, Althoe with some diffulty (& y^e more in respect of my owne weaknesse & others, oposi-

tion according to y^e best of my skill, & knowledge of the state of thinges amongst us, to draw togeather the Consētts of the best part, I hope, if not y^e greatest part of our inhabitants, for y^e effecting of wth being effected, will conduce as we trust to our future good: In the accomplishment w^{of}, amongst many who haue subscribed, I meet with such unexpected readinesse of rationall Compliance, as giues me some incoraging p^{sw}asians, that these scattered Intimations of our honest desirs to his highnesse, may Introduce some effectuall furtherance for y^e Confirmation of our Continewed settlement under your Authority, being unfeynedly y^e end of our requests; as this Inclosed petition of ours more at Large doth & may demonstrate/

Sir, being at Sacoe not many days since, I could not but take notice of some discontent & trouble of spirit in seuerall of them about y^r app^rhending Joⁿ Bonighton whom I really beleiue, want rather of Corage then Cowardize, doth onely retract y^r resolutions from y^e faithfull discharge of y^r duty y^rin required, w^{ch} occasionally kindleth his Impudence soe much y^e more, to the exorbitant abuse of both our authority & y^m selues; And might I p^rsume to vtter my owne weaknesse vnder Correction, If the Gener^{ll} Court should thinke meete to Co^mmissionate Mr ffran: Raynes o^r Leeftenan^t, or some else in o^r County with sufficient pouer an assistance, the matter I Conceane prudently attended would be æsily affected without any great danger or difficulty, & the men of Sacoe remoued out of y^r inextricable feares wherewith by there owne Conceats they are soe strangly afflicted.

The treuth is they dare not take him.

I for^mly moued a businesse to yo^r worship: & Rev^ẽrd Mr Norton (of whose setling I rejoyce to heare) about procur^{ing} a minister for the people of Newgewanacke, w^{ch} hitherto hath lyne dormant, by reason of Mr Broughtons absence thence on whom it hath some Cheefe dependance, but we hope shortly to haue an oportunity effectually to reuiue it againe.

Sacoe & Cape Porpus are in a great strayte for some godly minister; for his maintenance they p̄pound 50^l p̄ Anno: besides a house & some other Conueiences, touching w^{ch} I was moued to wright to yo^r worship; w^{ch} I cannot be soe forward in, till y^e people of Newgewanacke be supplied, Althoe I Cannot but be Sensible of y^r deepe necessity y^{ro}f: Some of wells & Sacoe I p^rceave are very desirous to haue the Gene^l Court Moued y^t they might haue one Magistrate allowed & settled who liues in y^e County or otherwise to haue some fitt p^rson or p^rsons Joyned in Co^mission with the Comissioners of each Towne, y^t vpon occasion might haue po^u for more speedy punishment of offenders, who by these p^rtractions of an^uall punishment, doth multiply these offences; & at length find a way by escape to auoyd all punishments w^t soe^u; Had we p^rsons meetly qualifyd for such places the thing were more then needfull to be done: Thus with my seruice to yo^rselfe the Deputy Go^u; & my due respects to Mr Norton, & all the rest of o^r Christian freinds, I leaue yo^r selfe, yo^{rs} & all yo^r weighty occasions with y^e Lord, remaining,

Yo^r worships to be Comanded,
in the Lord,
Edward Rishworth

To the right Worship^l
Joⁿ Endicott Gouver^{no}
of the Colony of the
Massatusetts, these

p^rsent at his
house

Boston

Bonightons Case Referred to a Conferance p Curiam.

Whereas the Towne of Saco wthin the lyne of o^r Pattent or neere in y^e Bounds whereof John Boniton liveth have geſſally ſubmitted themſelves & their lands to y^e government & Jurisdic^{ti}on of the maſſachuſetts; and whereas there are great & frequent complaints made to this Court by ſeſſall credible pſons, that the ſaid Boniton (attending noe government doth moleſt both his neighbors, & others that occaſionally traffick, or fiſh in thoſe parts, & by his outrageous carriages hath maimed ſome; & put others in danger of their lives, by his lawles, & imperious actions. And whereas legall courſes have bene taken, & much patience have bene vſed for his reducm^t into ſome tollerable demeanor, hetherto not onely in vaine, but in ſteade of compliance he hath ſent contemptuous & railing returns to this government, or authority here, wherevpon this Court (conſidering the p^rmiſſes) Doth declare the ſaid Boniton a rebell or com^mon enymy; & intend to pceed againſt him accordingly.

Yet Becauſe this Court is very loath to vſe extremity (if it may ſtand wth juſtice our peace, & honor to exerciſe ſome further delay) Therefore this Court doth hereby expreſſe themſelves willing to give the ſaid Boniton tyme till the firſt Day of Auguſt next peaceably to render himſelfe, into the hands of y^e Governor & ſuch other of y^e Magiſtrates as ſhall then be in, or neare Boſton. That his caſe being duly, & ſeaſonably conſidered, there may be ſuch an yſſue put to the ſame, as ſhalbe meet, Which clemency thus tendered if neglected, or contemned, It is reſolved by this Court to pceed againſt him, as a rebell or a com^mon enymy to the people of theſe parts of New England this go^vnm^t & in ſpetiall to the people Inhabiting neare vnto the place of his reſidence, And further this Court doth impower any pſon

(that hath submitted to this government) after the s^d 1st of August to App^ehende the said Boniton by force & bring him alive, or dead, to Boston.

Declaring & pelayming that whosoever shall soe doe, shall have 20 pounds paid him; for his service to the Country: out of y^e Co^mon Treasury w^{ch} may be levyed wth other charges vpon the said Boniton his estate./

This to be pelaymed forthwth in Boston, Salem, Portsmouth, Yorke & Saco.

The magist^s haue past this wth Reference to y^e Consent of theire brethren the depu^{ts} hereto

Edw Rawson Secret

the Deputyes thinke meete to Conferre with o^r honord magistrats about this bill

William Torrey Cleric.

The Deputyes on Conferance had wth o^r honord magist^s Consent hereto as it is now amended & interlined p^{ro}vided he haue one full moneth more allowed fo his coming in.

William Torrey Cleric.

Consented to by the Magistrates

Jo: Endecott God

Petition.

To his Highnes Oliver Cromwell, Lord Protector of England Scotland & Ireland

The peti^{ti}oⁿ of seⁿall of the Inhabitants of the Townes of Yorke Kittery Wells Sacoe, and Cape Porpus, some time vnder y^e Provinciall go^urn^t of Mayne & Lygonia now vnder the Jurisdic^{ti}oⁿ of the Massachusetts, In new England

Humbly sheweth

Whereas Informaçon doth report vnto vs of seüall addresses lately made vnto yo^r highnesse, by some Gentlemen of worth, for restitution of their right of Jurisdicçon over vs claimed, by these Pattents, the determinaçon whereof wee humbly conceiue, after a Legall hearing rests vpon yo^r pleasure wherein our selues being not so properly Concerned, as others at p^rsent, doe purposely waue craving leaue only to p^rsent yo^r highnesse with a true Naratiue though Implicite of our first and Last Estate, before and since wee had this Gou^rmt, which through Gods mercy wee now Injoy to o^r good satisfaçon & for o^r Continued settlednesse vnder it, wee dayly pray for these Reasons ffirst because of o^r selues, wee haue smale power to carry on goverment, being a people but few in Numbr & those not Competent persons to manage such weightie affaires, our weaknesse occasioning distraction o^r paucity deuision, o^r meanesse contempt, as our owne former experience, hath fully evinced to the totall subverting of all civill order amongst vs

2^{ly} because changes cannot reduce things from Impossibilities, to make things of such as are not, to be, The case is ours, y^e places of our Residence admitt but of smale Inlargem^t, the gen^uallity of the Country from vs, Eastward is so confusedly taken vp vninhabitable beings of sterre lands swamps & rockie mountaines as not more then a few shreads, are left by y^e sea shoare fitt for cohabitation, & these already Populated, by an Inconsiderate number of people; How y^e wisest of such who desire superintendency over vs can settle a well Gouverned Com^on weale vpon such basis, wee Leaue to yo^r wisdom to judge

3^{ly} because changes in these things may prove dangerous, where discontented spiritts waite, for such opportunities, w^{ch} haue not beene y^e least pte of y^t smale numbr amongst vs, who were p^rfessed Royalists, whose breathings y^t way since o^r Subjecting to this Authoritie, haue beene so farre

stiffled, as y^t y^e activity of such spiritts cannot finde any the least opportunitie of motion

4^{ly} because wee feare y^e hurtfullnesse of our changes as o^r govern^t now is, our p^{sons} & Estate stand vnd^r y^e securitie of wholesome Lawes, watchfull Governo^{rs} y^e fath^{rs} of our nourishm^t and peace whose joyous care not only tollerates but maintaines v^s y^e pure Institutions, for y^e Incouragem^t of godly p^{sons} both Minist^{rs} and oth^{rs}, to reside amongst vs but changing it may throw vs backe into o^r former Estate to lue vnder negligent masters y^e dang^r of a confused Annarchy, & such other Inconveniencies, as may make vs a fitt shelter for y^e worst of men, delinquents & ill affected p^{sons} to make their recourse vnto, thereby to exempt themselves from their justly deserued punishm^{ts}

5^{ly} changes are apt to Inihilate, vnlesse they prove much for y^e better especially in weake bodyes, where heads are full remote touching such events our former experience hath taught vs somethinge else wee craue of those gentlemen, who are now so solicitous for government over vs what ment y^e deepenesse of their silence se^uall yeares, both in their tongues & pennis, as not after our frequencie of writing to them they not so much as returne vs one Syllable of answere, or afford vs y^e least assistance in govern^t y^e want whereof let vs sinke into great distractions, for o^r recouery thence se^uall amongst vs petitioned for government vnto y^e Colony of y^e Mascatusetts who after some debate wth us and confirmation of some Articles of Agreem^t to vs, tooke vs vnder their Authoritie, vnto which wee subscribed, & subjected ourselues vnd^r whose p^{te}ctiō to continue wee acco^{tt} it not y^e least pt of o^r securitie & hapinesse.

6^y because wee conceaue y^e confirming of y^e Mascatusetts Patent in its due extent, In respect of its Antiquitie nulls all after Patents whatsoeuer, as fully intitles of lands, as of Gouverm^t, from both which wee expect equall freedome, by their just Interests & our owne subjection

Our humble request y^r fore is y^t yo^r goodnesse would favo^r o^r reasonabe entreaties, whose weaknesse calls for support o^r manners for some strictnesse of rule, whose distractions for some p^rsent settlem^t wherein o^r voate is, y^t it may be as it is vnder y^e goverm^t of y^e Massatusetts, aganst w^{ch} if chanches should Interpose o^r Inevitable troubles, would follow o^r condition as it was in pt, and as it now stands lyes really before yo^r gracious Eye, although not so Methodically p^rsented, for w^{ch} wee hope o^r ignorance will excuse vs

Touching w^{ch} if yo^r highnesse expect any further Information wee beseech yo^r comands herein for a pyons, & Reverend friend of o^rs m^r John Wheelewright sometimes of vs now in Eagland, vnto whome o^r Estate is well knowne, & is fully able to satisfy any material Inquiries therein. Craving p^rdon for o^r over much boldnesse & p^rlixity as o^r duties are, so pray wee for y^e Almightyes p^rectiō to secure yo^r p^rson his spi^{tt} to guide his gracious blessing to crowne, yo^r high & memorable endeavors wth continued successe for y^e advancement of his owne glory & Kingdome & yo^r happinesse here & Eternaly/

Thomas Williams

Robert Booth

Richard Hitchcox

John Leighton

Ralph Trustrum

Walter Neuuell

his m^rke 

Richard Coman

Robert Waymouth

his m^rk 3

John Deamont

Witt Scadlock

Witt Reynolds

Morgan Howell

Edw^d Clark

Nich Bully junio^r

his m^rke 

Hen Boad

She : Fletcher

Ezek Knights

Witt Hammon

Nich Coole

Jn^o Gouch senio^r

Jn^o Gouch junio^r

Jn^o West

Jn^o Barrett seno^r

Sam^l Austine

Griffine Mountague

his m^rk 

Myles Thompson

Gregory Jefferyes

Nich Bully Senio^r

his m^rke *+*

Roger Hill

Hen Waddocke

Will Korkett

Abra : Conly his

m^rke *ff*

Nathaniell Load

his m^rke *+*

Tho : Jones his

m^rk *F*

James Heard

Robert Wadley

Her : Symons

Will Symons

Abra : Preble

John Allcocke

Hugh Gullison

Robert Mendū

his m^rk *RM*

Nich ffrost

his m^rk *NF*

Charles ffrost

Roger Plaisteed

Humph Shadbore

Tho Spencer his

m^rke *=*

Will Spencer

Edw^d Rishworth

Sam^u Twisden

Daniell Goodwine

Edw^d Johnson

ffrancis Raynes

Peter Wyre

Hen Norton

Will Dixon

his m^rk *M*

Robert Knight

his m^rke *R*

Hen Donell

Silvest Stover

his m^rke *ff*

John Smith his

m^rke *I*

Joseph Emerson

Tho : Wheelwright

John Davis

Nich : Davis

Sampsō Auger

his m^rk — *O*

Rich^d Bankes

Tho Courtous

John Twisden

George Parker

Jn^o Parker

Phillip Hatch

his m^rk

This is a true copie compd with its originall As Attests

Edward Rawson Secret

The Deputyes havinge pused the the pet p^rsented from the Inhabitants of Yorkshire to be sent to his highnes the L: Protecto^r se no reason but they may pceed accordinge to their former Intentions with reference to the Consent of o^r honord magistrates herevnto,

19 : 3^d : 1657

William Torry Cleric
Consented to by y^e magist^{rs}
Edw : Rawson Secret

10 fevrier 1658

Lettre du Roy Louis XIII
au S^r Daunay Charnisay Commandant 'es fort de la Keve Port Royal, Pentagoet et Côtes des Etchemins en la nouvelle France pour regler les bornes du Commandement entre lui et Sieur de La Tour.

Monsieur Daunay Charnisay voulant qu'il yait bonne intelligence entre vous et le sieur de Latour sans que les limites des Lieux au vous avés Commandes l'un et lantre puissent donner Sujet de controverse entre vous J'ai jugé á propos de vous faire entendre particuliere-ment mon Intention touchant l'Entendue des dits lieux qui est que sons l'autorite que j'ai donné á mon Cousin le Cardinal de Richelieu Surtoutes les terres nouvellement de couv-ertes par le moien de la navigation dont il est Sur intendant, Vous Soyés mon Lieutenant Général en la Côte des Etchemins, a prendre depuis le milieu de la terre ferme de la Baye françoise en sirant vers les Virginies, et Gouverneur de Pentagoet et que la charge du S^r de le Tour mon Lieu-tenant Général en la côte D'Acadie soit definis le milieu de la dite Baye françoise jus qu 'au detroit de Causeau ainsi vous ne pourés changer aucun ordre dans l' habitation de la Riviere St. Jeau faite par le dit S^r De La Tour, qui or don-dera de son æconomie et peuple, et comme it jugera á propos et le o^t S^r de Latour ne S^r ingerera non plus depieu changerez habitations de la Heve et Port Royal ni des Ports

de ce qui yest quant a lá troque l'ouen usera comme l'on a fait du vivant du Commandeur de Rayilly, vous continuerés au reste et redoubleres vos soins en ce qui est de la conservation des lieux qui sont dans l'estendue de votre charge et principalement de prendre garde exactement qu'il ne S'dablisse aucuns etrangers dans le Pais et côtes de la nouvelle france dont les Roys mes predecesseurs ont fait prendre possession en leurs noms vous me donuerés Compte au plus sot de l'etat des affaires de de la et particulièrement sous quelque pretexte et avec quel aveu et Commissions quelques etrangers se sont introdiuts et ont forme de habitations et dites côtes, a fiu que j'y fasse pour voir et vous envoyer les ordres necessaires sur ce sujet par les premiers vaisseaux que iront en vous quartiers surceje prie Dieu qu'il vos ait Monsieur D'aunay Charnisay en sa Sainte Garde Ecritea saint Germain en Laye le 10 fevrier 16 1638, signe Louis et plus bas Bouthillier

Pour dessus de la Lettre

A Monsieur Daunay Charnisay Commandanter forts de le Heve Port Royal Pentagoet et côtes des Etchemins en la nouvelle France

Nous Ecuyer Conseiller du Roy honoraire en la Cour des Comptes aydes et Finances de Rouen Commissaire ordinaire de la Marine Premier Commis et Garde des Archives et Depot de la Marine certefions la Copie a dessus veritable l'ayant collation née sur les Registres et Papiers qui sont aux dites Archives et Depot à Paris le Sept Octobre mie Sep Cent Cinquante un/ Signe Laffillard

Endorsed.

Appendix

No 5

To the Kings most Excellent Ma^{tie}

The humble Petiçon of Ferdinando Gorges Esq^r sonne & heire of John Gorges Esq^d deceased who was sonne & heire of S^r Ferdinando Gorges Rn^t deceased./

Most humbly sheweth

That the said S^r Ferdinando Gorges yo^r Petiçõners Grand father being divers yeares Since chiefly instrumentall in discovering & reduceing of New England in America to the obedience & Governem^t of the lawes of this kingdome and haveing spent many yeares time & vast Sumes of money therein whereby he exhausted the greatest part of his fortune, and the same being thereby brought to some perfec-

tion & hopes of advantage Yo^r Ma^{ts} late Royall
 15^o Car: I father of ever blessed memory in the XVth

yeare of his raigne was gracously pleased to graunt unto the Said S^r Fernando Gorges yo^r Petiçõners said Grandfather his heires & Assignes for ever a Patent of a considerable part thereof called the Province of Mayne the same conteyning every way 120 miles wth very many large Privileges & Immunities As in & by the said Patent under the greate Seale ready to be produced it doth & may at large appeare, Long before & since w^{ch} said Graunt yo^r Petiçõners Grandfather at his very greate charges hath sent over severall persons as his Deputies to Governe the said place./

That certaine English Inhabitants in New-England called the Mathethews its takeing Advantage of the late Rebellion here (dureing w^{ch} time yo^r Petiçõner dust not assert his right to the said premisses) have without Any colour of right eneroacht upon all or upon the greatest part of the said premisses discended unto yo^r Petiçõner from his Grandfather as aforesaid And that Severall other persons who in trueth at most were but Tenants under some yearely rent & other services unto some small & inconsiderable part of the said premisses under yo^r Petiçõners Grandfather doe now clayme the same as Lords & Proprieto^{rs} thereof whereby yo^r Petiçõners Grandfathers vast expences aforesaid are like to be utterly lost and his Patent (w^{ch} was the greatest Patrimony that yo^r petiçõners Grandfather left him) wilbe ren-

dered unprofitable to him without yo^r Ma^{ts} most gra^çous help & assistance./

Yo^r Peti^çoner therefore humbly prays yo^r Ma^{tie} to take this matter into yo^r most gra^çous considera^çon the same being of very greate concernem^t unto this yo^r Kingdome of England or els That yo^r Ma^{tie} would be pleased to referre the considera^çon thereof to yo^r Counsell for forraigne Planta^çons to examine the whole matter & yo^r Peti^çoners title thereunto and to certifie yo^r Ma^{tie} the trueth of the premisses./

And yo^r Peti^çoner as in duetie bound shall ever pray fo^r Ma^{ts} long and prosperous raigne./

At the Court at White hall the 4th of Aprill 1661./ His Ma^{tie} is gra^çously pleased to referre this peti^çon to the Councell for forreigne Planta^çons who upon due considera^çon and examina^çon had of the Pet^{rs} title to the premisses and what is by him alleadged are to certifie his Ma^{tie} how they finde the Pet^{rs} Case to stand together wth their opinions what is fitt to be done thereupon for his just reliefe. And then his Ma^{tie} will declare his further pleasure.

Col: Papers Vol: 22. N^o 98.

Henry Jocelyn &c : to [Col. Nicolls?]

Fro the Inhabit^{ts} of the Province of Maine/

Right Hono^{ble} :

Receiueing information of yo^r Hono^{rs} Intentions suddainly to goe for England, And considering how our poore Province (although at Present by your Hono^{re} settled under his Majest^{ys} imediate authority) yet liing vnd^r Prplexing discouragem^{ts}, through the threatenings of our Imperious Neighbours, & the disafections of others amongst o^r selues, whose actions speake much for a Change, makes us the boulder to sollicite yo^r Hono^{rs} helpe as oportunity Presents by your furtherance of some answere from his Majesty, vnto whom herewith wee haue Inclosed our humble petition for a definitiue sentence touching o^r future establishment, w^{ch} being passed ouer by his Majesty : Wee doubt not but will soone ease or troubles & attract our wandering affections into a more Intyre & amicable way of peace & future contentment, for w^{ch} end wee begg earnestly your hono^{rs} assistance in the Premisses, w^r in for this amongst other fauours, wee shall ever remaine vnd^r the obligations of thankefullness/

Your hono^{rs} humble Servants/

To the Comiss^{rs} wth A

Petition to his ma^{ty}
Inclosed/

Henry Jocelyn : Edw : Rishworth
Witt Phillipps/ Francis Hooke
Fran : Champernowne/

Col: Papers Vol: 22. N^o. 98. I.

Petition of the inhabitants of Maine to his Majesty/

Praying a
To the King's most excellent Majesty, Setlem^t/
The petition of the Inhabitants of the province
of Mayn In New England/
Humbly Sheweth

That those tempestuous blasts of various alterations, which haue had (by divine providence) such an vniversall Influence into the bowells of political constitutions, & amongst others, into our weake & vnsteady goverment, w^rby severall Clamors, wee haue beene in feares, & daly are, tossing, & tottering to & frõ as shaken reeds, or shipps vnballasted ready to overturne with the least breath of Clayme or Pretended Authority; hath occasionally hurried some into involentary distractions, others into causeless disafections, if not clandestine applications, by petition or otherwise to the Massatusetts for a change of yo^r Majes^{ty}s authority here settled, w^r by spirits are disunited, Prsons Loyall discountenanced, & others animated, to our generall disturbance, respecting the peace, & Prsonall Interests of your Majes: poore (though wee hope loyall subjects of this province/

Under which disheartening molestations, Wee ly low at the feete of yo^r Majesty^s Clemency, pr^{aying} & beseeching your Majesty^s royall word, for our redress, & continewed establishment, either as wee now stand vnder yo^r own Immediate Authority, or Esq^r Gorges, or vnder whom shall see Most commensurate to your Majesty^s pleasure, the declaration w^rof wee doubt not will Inlarge ^{ye} begininge of our future reviuicings, & freedome from such Ineuitable intanglements, as certainly must succeed our Present or future vnsettlements, for your Majes^{ty}s fauour w^{er} in wee

shall for euer bee obleig'd to pray for your Majesty^s prosperity & well fayre/

Witt Phillipps	Edw : Rishworth
Francis Hooke	John Dauas
Raphe Allanson	Jeremiah Hubbard.
William Sheldon	Edward Johnson
John Budstarte (?)	John Twisden
Barnabas Chauncy	James Grant
James Gibbines	Digery Jeoffery
Thomas Williams	John Pudington
William Liscom :	

Henry Jocelyn :
 Fran : Champernowne
 Abra : Corbett/
 John Pearce/

End :) A Petiçon from y^e Prouince
 of Mayne to y^e Comm^{rs}/

Col: Papers Vol: 15. N^o 32.
 Lett^r & Information of Godfrey concerning y^e usur-
 pation of Boston. March : 14 : 1660 :

Ho Sir wth most Humble thanckes for y^r Fauorable
 Aspect uppon mee in this my totall Eclipsed Condition I

p^rsume to giue yo^u thes Few lynes for Cap^t Jo. Leuerits not Appering as Agent for the Mathesusets./

1. To consider his acting ther for subjugating the Estern pts In New England P^rsumptusly & Audatiously wth out any power from England the p^rceeding yf hee will not shew I haue a Coppy: & Jo. Bakers deputaton heere. After 3 yeares ther spent in vane for Redresse I came for England meeting hime shewed him my paper & complants hee wisshed mee to stay tell hee had Andswer of letters for Redrese 2 yeares stayed noe Andswer

2. Then I got a Reference from O : P. [Oliver Protector] nothing effected then one from R : P : [Richard Protector] the Referes met diuers times hee did then Acte & acknowl-
edg him selfe Agent for the Mathesusets

3. This last yeare M Beckes deputation p^rues him Agent then

4. In this Reference now of Masons & Godfrey though att fyrst hee Refused yet a p^rcise being fixed one the Exchange & dd 24 Jⁿ mad an excuse

5. The next meeting hee excused & sent a letter wth a Coppy of one sent him from ther Court accusing the Recept & Coppy of our peti^r w^{ch} Andswer it most unjust & untrue as by the sundery deputations may Appeer

6. his p^rsenting the Cunteries Adresses to his Ma^{ty}/ I besech yo^u Rem^rber to bee wth the Referes att Docters Co^m-
ands being Tusday 19th of thes Instant mch

Y^r Saruant to bee Co^mded
Ed : Godfrey

Consaring the Regment of New England for his Ma^{ty} best security & safest waie as I humbly Conceue In Regard I know the Cuntery from the fyrst discouery lost my nerest relations, slane by the Indians & I hauing faithfully att my owne Charge sarued the Cuntery 25 yeares by a duble Recognisence my oath to God my discredituon experience & Fidelyty Consided: w^{ch} prased bee God I pformed tell Ejected by the Mathesusets yoⁿ know in pt my onely sonne his life & time ther spent 2 viages & Co^ming for to Trasport his wyfe & Famyly heering of my Ruen Abids yet heer I p^rsume to giue yoⁿ thes few Lynes/

I euer tould yoⁿ that Pascattowaie Riuer & the puiunce of Mayne is of More Consarnement to his Ma^{ty}s for trad p^rsent & Futuer wth discouery of the Cuntery then all New England besids & other reasons as by the Mappes may appeer wheather it bee not fitting yf A Generall Gou^r should Gard the Jurisdiction of thos Estern pts may not bee Regulated by Co^mition as fomly 30 yeares wthout Complamt ther or heer nor neauer questioned tell 1652 Boston would bee A Free Stat And Sundery Pattents

1. The distance ny 80 Myles dangerus by sea & in the wynter not pregnable for diuers reasons as snow wading &c
2. It will discourridg any publique Sperited men to undertake the like action being Roume for many 1000 famylies after 30 yeares to bee debarred of ther p^rueleges
3. His Ma^{ty} will haue more power our booth the one to bee Instrumentall to keepe the other in its dew obedienc/
4. It will Cause An Emulation who shall giue the best Acc^o of the actions to the supreme power one w^{ch} all Pattents depnd.
5. Some of the Pattents haue ther Relation heer & for extraction long experience, in the Cuntery Equall wth any

in Boston And haue euer acted for his Ma^{ty} Interest haue
 Pattents Com^{rs} Formly & now liuing ar Cap^t Henery Josse-
 line Cap^t Francis Champernone m Tho: Jourdan An Ortho-
 dox Deane for the Church of England & of great pts &
 Estate m Jo. Geffords goeth this yeare m Jospeth Mason
 ther for Ed Godfrey hee is to ould to Acte yet Oliuer God-
 frey his sonne & granchild being well versed in the Cunte
 (?) yf Co^mded will wth the p^rsidentes of Ed Godfrey assist
 to the uttermost ther life & power. excuse my bouldnes
 being y^r ever obliged saruant to bee Co^mded

Ed Godfrey

14th mch 60.,

End :) 14 March. 1660./

The Information of Mr Edward
 Godfrey sometimes Govern^r
 of the Province of Mayne.
 concerning the consquence of
 that Province And the vsur-
 pations of the Bostonets./

For the Righ

Thomas

Col: Papers Vol: 15. N^o 19.

Information of Ed : Godfrey, sometime Gov^r of Maine/

*Mr Godfrey's Information of a Committee Sitting at Coopers Hall on behalfe of the Massachusetts.

Worsip^l Sir

According to y^r Coñmands I haue Indeauord to screw into the Great Beneuolences that haue benne soe publiqly knowne to ppagat the Gospel In New England, but in Effect to bee ther a Free Stat the priuat acting as yet I conseall, ther is a snake in the weeds

Ther is a Corporation sitting formly att Coupers Hall Coñonly one satterdayes from 9 to 12 a clock/ For the Busines Mr Heugh Pectors confessed of Sixty thousand pounds, & the last yeare they s^d the had purchased land to about 1000^l p an^u but shrank now to 700^l, they Iseralits I am Egiptian conquered of them by the teath of ther sourds ; I most hūbly petid to haue some thing heer to Releue me 8 yeares exturped of my meanes wth obligation what I had heere should bee ther repaid out of the Gleanings of my haruest they had reapid, & for my most faithful Saruis 30 years, Amonst them the fyrst planter a vast estat spent my nerest relation in the discouery slane by the Indianes, My onely sonne Ruenated, by the Cuntry & I a Gouvern^r 20 yeares & my saruis In his Ma^{ts} time of Charles the fyrst for them & the Cuntry In geñeral There Andswer was ther Brethering, ther & heere, Could not bread order, or to that effect. In fyne they were I-serelets. I an Eption

The Stat of the busines is ther is one Smith that I met att Mr Arthur Generall sollicets to haue ther Pattent renued

The Clerke or Secratary is one m Houser att Turner hall in Philpot lane

*Note in modern hand.

Mr Asshworth att the Keaye in Hatling Street/ Aderman
Peake att 3 Arrows in Cannon Street/ m Roffe a Scriuener
att back sid of the exc Ny the shippe tauern /

m Maiccheson att the Angell a lime drap in cheap sid/

m Wolner a wollen drap in Gracious street/

m Bell att Touer Street/

None eather ther or heer had any Acting in thes affayres
that did not Idolise The Chirch Couenat

The Great Mults & Fynes vppon thos of the Church of
England onely for peti to haue the liberty of Free born
English can shew sm a Considerrable Vallue/

Ther Tribut of the Indianes they yearly receue a Consid-
erabl^r some this for p^rsent tell I see yo^u I Rest y^r to bee
Coñded

Ed Godfrey

London ad. 19. Feb 60./

End :) Feb : 19. 1660./

The Informaçon of Mr Ed Godfrey Sometimes
Govern^r of the Province of Mayne. shewing
that a Coñmittee sitts at Coopers Hall on the
behalf of the Massathusets./

That the Massathusetts did sett Fines upon
such as Petitioned for Libertie.

Edw : Godfrey to Sec. Sir Edw : Nicholas/

Ho. Sir I fornlly gaue yo^u in Print an Appendax to the
petition to the usurp Cromwell & Parliament Consaring the
North ptes of America. Granted by boothe the last kinges of
euer blessed memory, but of late in thes times one pticueler
Pattent of the Massesusets att Boston in New England
haue usurped all most all the Cuntery to ther subjection

being Gence Inemica : to Loyalty in practice to bee a Free State being turned out of my Pattent for lyoly came to giue an acc^o of 55 yeares trauell of w^{ch} 46. in Ciuell Imployment for my Cuntery 27. ther aged 77 yeares, yf an object of pitty moue yoⁿ not yet piety for Gods Glory and p^r fit to his Ma^{ty} & securing thos pts to his Ma^{ty}s dew obedience suddenly yoⁿ will vouchsafe to affourd a few Mynits to puse the Nedfull may att p^rsent bee p^ruented by coⁿition. w^{ch} heer-after may bee dangerus & Chargable of hyer Consarnement then yf all the Baltick sea were anaxed to his ma^{ty} Empier yf I Cannot bee hard, haue p^r formed my Duty hauing suffered 8 yeares & now for all my saruis for my Cuntery like to perish for want — I Rest

Y^r ho Saruant

15th July 66

to bee Coⁿided

Edward Godfrey.

End :) 15^o July. 1660.

Mr Edw : God-

frey . . . Amer-

ica & New Engl^d/

For the Ho. Sir Edward Nicolas

Knight Secretary to his Ma^{ty}

thes p^rsent/

Petition of Brian Pendleton.

To the Honored Generall Court now
 assembled at Boston of Magistrates
 & Deputyes : the Humble petition of
 Brian Pendleton

Humbly Sheweth

That beinge twice employed to take in the Esterne parts
 at Kittery Yorke Wells &c : with the Honored Mr
 Browstreet & others one time : & with the Honored
 Deputy Governor & others the 2^d time : A Returne
 of their aksions was presented to the Gen^l Court
 1653 which the Court acksepted & was pleased to
 promise to Gratifie with some Land (as appeareth by
 the Record as they had to other Gentlemen soe Im-
 ployed fformely : some of which thay Gratified with
 five hundred Acres of Land : wheareby I am In-
 coraged to moue this Honored Gen^l Court to graunt
 mee (on the considerations afores^d) five hundred
 Acres of Land on Cochecka River aboue Dover
 bounds as neere to the Land layd oute to m^r Edward
 Rawson as may bee : to bee Layd out by m^r Edward
 Starbocke & Peter Coffin & y^r peticone^r shall pray &c
 Yo^r Humble searvant to Comand
 Brian Pendleton

26. 3 mo. 1658. The magist^{ts} Judge meete to
 Graunt the petiçone^r on his Request twoe hundred acres of
 land in y^e place desired In Reference to the Service per-
 formed if theire brethren the depu^ts Consent hereto.

Edward Rawson Secret
 The Deputyes Consent hereto
 William Torrey Cleric.

Return.

The returne of the commissioners of the Generall court of the Massachusets, being Authorised and Appointed to settle ciuill government in the Easterne parts to the utmost extent of their line, as appeares by a commission, graunted them bearing date the 26th of May 1658.

In reference wherunto the Comissioners aforesaid whose names are here subscribed according to order and trust therein to them committed did repaire unto the Eastern parts and at Yorke did adjourne the Court unto the house of M^r Robert Jordan at Spurwinke sending out summons to all Inhabitants Residing within the line proposed there to appeare personally before them w^{ch} by the major part thereof was Attended, but after some serious debate of matters betwixt us, remoouall of some doubts, and our tendering of some acts of fauor, and priuiledge to them the good hand of God Guiding therin by a joynt consent, we mutually accorded in a free and comfortable close as doth more fully Appeare by these ffollowing Acts.

Wee the Inhabitants of Black Point, Spurwinke, and Casco Bay with all the Islands therunto belonging do owne and acknowledge our selues to be subject to the Gouvernement of the Massathusets Bay in New Enland as appeareth by our pticular subscriptions In reference to those seuerall articles formerly graunted unto Dover Kittery and Yorke, which are now graunted unto us together with some Aditions as upon record doth appeare.

ffrancis Smale

Mich : Madineer

Micho. White. *M* mrs

Andrew Brames m^rk *W*

his mark

Tho : Hannot mrk *8*

Tho : Stanford

George Taylor m^rke *X*

Jonas Bayly. *F* . his mark

Henry Jocelyn

Robert Corlyn
Nathaniell Waley
Arthur Augur Jun

his mark 

John Phillips

his mark. *F.P.*

mrke

Rich:  Martin
mark

George Leuy 

Ambrose Boden

Samuell arkemo 

George Cleaue

Robt Jordan

Jn^o Benighton

Richard Foxwell

Henry Wats

Francis Weale

Abra : Fellow

Ambrose Boden Sen

Mich Millen

Joⁿ Timey mark

Nico :  Edgcomb

 mark

Euery of the persons as aboue mentioned which haue subscribed to this writing haue further by oath taken In Court engaged themselues to this Authority of the Massachusets at the date hereof July 13. 1658. Whereas the Townes of Black Point, Blew Point, Spurwineke and Casco bay haue acknowledged themselues subject to the gouernement of the Massathusets as by the seuerall subscriptions under their hands doth Appear wee the Comissioners of the Generall court of the Massa- doe actually grant as followeth.

1 In case by an imediate power from the Supremacy of England wee are comanded & after Adresse to the same Supremacy by the Massathusets Authority it be desired as proper to any other Regulations then ours this obligation to we protecting till the determination therof.

2 That an Act of Indempnity or obliuion granted them.

3 That all such acts and priuiledges, as haue granted to Douer Strawbery bank Kittery, Yorke, Wells and Saco are granted unto them.

4 That in cases of Appeales to Boston the Appellant shall haue ordinary costs, but shall put in sufficient security (not recouering) to make good treble costs to the defendant.

5 That they shall haue true transcripts of such priuiledges as haue been to the fore mentioned Townes, sent unto them to bee Recouered with all convenience.

6 That the ciuill priuiledges now granted them wee do not intend shall bee forfeited upon differences in matters of Religion but their Regulations therein must be acording to the pœnall lawes.

7 That those places which were formerly called black point, Blew point, and Tons Island therto adjacent shall henceforth bee called by the name of Starborow the bounds of which Town on the Western side, beginneth where the Towne of Saco endeth and so doth run along on the West-erd side of Riuer of Spurwinke, eight miles back into the country.

8 That those places formerly called Spurwincke and Casco bay from the starbour side of Spurwinke Riuer to the Capboard Island in Casco bay shall run back eight miles into the country and henceforth shall bee called by the name of falmouth.

9 That the Townes of Scarborow and Falmouth shall haue Comissioners to try causes as high as fifty pounds.

10 That those two Townes of Scarborow and Falmouth shall by a survey, take an effectuall course, to bound themselves betwixt this time and the next court, holden for the county whereunto they are to make their returne or upon their neglect therof the county court shall Apoint Comissioners for the bounding of them.

11 That those two Townes of Scarborow Falmouth are to send one Deputy yearly to y^e

giuen

Symonds

Wiggins

s Shapleigh

Rishworth

W^r as some late difference seemes to appeare to vs between M^r Fletcher Juni^r & part of the Inhabitants of Wells, as touching his vnfitnessse for y^e place of the Ministrey, which occasionally for neare two years pas'd as is apprehended (relateing both to the sanctify of the sabboths, & the pformance of god^s holy worship there in/ hath drawē them Into Generall neglects/

For future p^rvention w^rof It is therefore ordered by the authority of this Court, that due notis be given to the Inhabitants of Wells & M^r Fletcher that they do make y^r appearances at the next County Court at Yorke, there, either to Justifie those exceptions of vumeetenesse they seeme to charge against him, or otherwise from them the s^d Fletcher may bee acquitted/

This is a true Coppy of the Generall Court order made May 30th 1660 :

as Attests/ Edw. Rawson Secret

Petition May 30, 1660.

To the Honored Generall Courte now assembled
att Boston 30 May 1660 the humble peticon
of some of the destresed in habetane of the
towne of ffalmoth

The humbell desier of your pore peticeners hoping that
you will take it in to seres consideration our present con-
dicon that we stande in respecte of the pretended patenes
and clames that m^r Robert Jorden and M^r George Cleues
laies Claime to So that much trobell cometh to ous sueng
men to Cortes as Witnes the many sutes and acones at
cortes and ar still goen one a gainst ous and other tretened
a gainest So that We ar much destracted in our afares and
know not What We shall doe in thes our trobeles only our
Ies ar to God and you that that you old be plesed to
conseder our condicon and distractiones that We ar in and
that it will be the ouerthroe of thes hopfull beginenes that
is a mongest ous god hauing be gone to anser our prayeres
and to send ous a faithffull dispencer of the Word to ous for
wich We desier to bles god for and we hope shall in Joy if
these distractiones doe not discoreg hem therfor our oublell
request is to this onered asembeley that you old be plesed to
take it in to concideration our present Condicon for iff that
M^r Jordenes paten and claime hould with m^r Cleues the
towne is ouer trowen and noe man shall in Joy what he hath
labered vppon and posedes ounley it be vppon ther teremes
and at ther Wiles and plesueres but we hope that we shall
injoy our preueleges and towne a fares with the rest of the
townes in the Dueredicon thes not to trobele your oneres
noe farther but leue the Case to god and you hoping for a
Comfortabell anser We Remaine youres in all faithfullnes

Phinihas Rider
George Ingersoll
George Lues
Joseph Phippen

Nathan Wallis
Thamas Cellen
Houmphry Durham
John Walles
Nicholes Wite

Petition of Georg Cleeve

To the honered maistrats and deputis of
the Massachusets Collenie or pōuine whom
thes may Concearne :

Gentle men & honored worthis it is not vnknown to many of you that Collenell Rigby one of the Barans of the publick Exchequer of the Comonwelth of England p^rsedent of Ligoniam hath by his Comission deputed mee to be his deputy for the Government of that p^rvince for this many yeres past the Bunds & limmits of which p^rvince hath bin set forth in sevarall Comissions & othar Instruments as well from the Crowne by the Covncell of plymoth as also sevarall Confirmations by the parliament & Covncell of stat to thes tymes p^rsent & sine the decease of the saied Baran Rigby that p^rvince is descended vpon his soonn Edward Rigby of Greais Inn Esq^u who hath also deputed mee by his Comission & hath appointed mee to Summon a Genarall assembly of all the villiges in that p^rvince from the Rivar Sagadiehook to the west side of preston or wells which I shall spedelie doe forthwith vpon my comⁱng home to my house vnles I shall be covntarmanded by you who as I vnderstand haue challenged that p^rvince or a great part therof to be within yo^r pattaint & haue Subjected the people to yo^r Gouverment notwithstanding ther former svpmishion & Ingaigment by oath to the Constitutions of that p^rvince.

I shall therefore humbly desire this honered assembly to giue me a fvll answer in writting of yo^r Intentions & p^rseds herein that I may be enabled to giue a true narative to my svperiors without any mistakings that so peac & loue may be continved amovngst our selves here, and if y^t may be that Contentions by suts in Lawe or farthar Complaynts may be obstructed in England betwene this Collonia or p^rvince & our p^rsedent or any othar whom it may Consarne.

And Lastly my humble Request is that a favarable construction may be put vpon my self & what I haue here written being sodently done with out any advice or p^rmeditation in Regard of my spedie Intended voyag home to my howse desiring allso to be excused for p^rsenting it in so Rude a Caractor haueing no othar Scrib than my selfe all which being Granted I shall willingly Subscrib my self to be yo^r most humble

Sarvant

Sept. 1653

Georg Cleeve

ffalmouth pet Entred & 2^a. 6^d. secured
1660

In Answer to this petition the Deputies thinke meete that the Issuinge of this Case be referd to the Co^mitt appoynted for the eastern affayres p^rvided the ptyes concerned agree thereto. the Deputies haue past this Desireing the consent of o^r honord magis^{ts} hereto

Willia^m Torrey Cleric.

1 (4) 1660

6 (4) 1660 The magistrates consent not.

Th. Danforth

Order relating to General Trainings, &c.

Whearas the townes of Scarbrow ffamoth and Saco ar far remote from the town of Yorke and also lie one the fronteer of this Jurisdiction and cannot wth saftie leaue their famylys

to attend Genirall Trayneings theare. it is thearfor ordered by this Courte and the Awthorytie thearof that the soldiers belonging to the aforsaid Towns shall not be compelled to Attend any Genirall Trayneings at Yorke wth out spetiall warrante frō the maj^r Generall

And whearas the Ilands ajasant to the aforsd townes may be pjuditial to the Contry by harbouring disordrly and vnruely p sons to liue wthout command and ord^r, Itt is thearfor ordered that all Ilands lying ajacent to the aforsd Townes shall lie and be vnder the Governm^t of the Town vnto w^{ch} the lie nearest

Alsoe considering the remotenes of the townes aforsaid form the place of their Countie Records whereby many inconveniencies may arise vnto them, It is thearfor ordered by this Courte and the Awthorytie hearof that the aforsaid Townes of Scarbrow famoth and Saco shall haue a Recorder chosen by the freemen of themselves who shall haue power to record all deeds and conveyances of lands morgages of Land or Cattell according as the law provideth in that case; and that they shall not be compelled to record theyr said deeds or morgages in the Countie Records.

These three foregoinge orders are
voted by the Deputyes Desire-
inge the Consent of o^r honord
magis^{ts} hereto

9 4 1560

William Torrey Cleric

y^e magis^{ts} Consent not

. Edw Rawson

At a second Session of Gen^l Court held at
Boston Oct. 16th 1660.

Part of the Report of Commiss^{rs} appointed
to enquire into the Eastern Affaires.

And as for the Complaint of M^r Cleve when we were at
Saco attending the Gen^l Courts before mention'd Order,
His Writings & Evidences were not present, Therefore We
can make no certain Return thereof. but judge meet Towns
men of Falm^o be ordered not to dispose of any Lands w^{ch}
are within the Boundaries of the Patents or Grants of the
said M^r George Cleves untill this court take further Order
therin ; As for the Complaint of M^r Rich^d Foxwell, He ap-
peared not here for to make any Proof thereof :

Dated the 25th ⁸/_{mo}. 1660.

p Hump. Atherton

Tho. Savage

Tho. Blake

The court approves & allows of the Return of these com-
miss^{rs} & Do Order that it shall be a final Issue of all Mat-
ters in Difference & the matters contained therein.

A true Copy

Examined p J Willard Secry

Petition of George Cleave.

The honored Generall Court Assembled and Sitting
in Boston : this 24 (3^o : 1661 The humble petition
of George Cleaue of Falmouth Gent :
humbly sheweth.

That yo^r petitioner hath bin, and yet is greatly wronged,
and oppressed by M^r : Robert Jordane, not only in laying
Claime unto all my lands, which I have purchased at very
deare rates but by forewarneing of my Tenents that are &

hindering others that would bee, although I have had after purchase possession for these 27 yeares or thereabouts : by meane whereof the populateing of the Towne of Falmouth is much hindered to the great loss and detriment of yo^r petitioner, and Considerable hindrance to the Country and least I should quietly injoy my just right he hath for twoe yeares together now past or thereabouts Continually vexed yo^r petitioner (as hee humbly doth Conceive and hopes to prove) with unnecessary suites in severall courts whereby hee hath soe ffarre misinformed severall Courts as yo^r petitio^r hopes to prove, as that p^r vayleing he hath almost & if help & redress fayle is in a fayre way utterly to ruine yo^r humble petitioner & his for ever : The perticulers whereof are too large to trouble the honord Court with in this sort, And therefore yo^r humble Petetioner doth humbly beseech the honourd Court to Consider the p^rmisses & either to admitt Audience of of yo^r petition^{ers} declaration in the court in Generall, or else to grant a Committee to heare what hee hath to say that soe yo^r oppressed petitioner may have some releife in his great suffering :

Your most humble petitioner doth humbly intreat the honord Court to ponder the premisses, and grāt yo^r po^r petitioner such releife as in yo^r wisdomes yo^u shall see meet, and yo^r petition^r humbly craving leave, praying for a blessing of God upon yo^u & yo^r administrations : subscribe my selfe

Yo^r:s

Georg Cleeve

Return.

Returne vpon this petition.

The petitioner apered before the comitte: but m^r Jordan against whome he complaines was not p^rsent, Therefore if the court please to vouchsafe the petitioner a hearing before the court that m^r Jordan haue legall notice thereof that he may haue optunity to answer, or elce to appoint & impower a comitte in those pts to heare the complaints of the petitioner & the answer of m^r Jordan & report, the case to the court for determination, according to Justice. datted the 28th of may 1661

Daniel Gookin
Elea. Lusher
Edward Tyng

Imp^rs

A House Loot in which i Liue Nere the forte abought one Acor all soe a sixe Acor Loot to s^d Howse Loot vpon the Necke the forte stands vpon & sixty acors of ought Land for: a ffarm being a smale Iland Called Littell Chabaick Iland being abought 60 Acors thare in a Dwelling howse ware House & other Improufments vpon the same

a house Loote on the west side the Cone nere the forte abought one Acor a sixe Acor Loote vpon the Necke & 60 Acors of ought Land neere ou^r Grate sae mill purchessed of Bartholō Gidney Esq the improufements is a Dwelling howse & soom In closiers

about sixty Acors of Land purchessed of m^r Jn^o Graves Laying to the westward of m^r Thaddeus Clarke

Kippisock

a strame of wallter & timber for a sae mill Lande Granted a mile square by the select men with the accomodations of all Timber that may bee Conveniently Brought to said strame with what meddow Laves with in said Bounds. I desire a Grante of about sixe or Aight Acors of the salte massh Adjoyning to s^d Land Improufements is a saw mill & a Dwelling house.

a streme for a sae mill with accomodations vpon Both sides the strame of Land to the valey of three hundred Acors for pasterig & abought sixe Acors of fresh meddow purchessed to s^d streme with the privileg of all Timber that Can bee Conveniently Brought to s^d streme Improufements is a sae mill a grist mill & a howse

a streme at Long Cricke for a sae mill with two hundred Acors of Land and all timber that can bee Brought to said streme Improufements is a sae mill Howses & som Land in tillage

abought fou^r hundred Acors of Land at Nonsuch pointe & nere Adjoyning to itt abought fiftene Acors of fresh meddow at non such masshes Improufements is a Dweling house soom ought Howses & abought fiftene Acors in fense soom in Tillage & a stocke of Cattell.

severall persells parte wee haue purchessed with our mony & parte by towne grants to ou^r selves ou^r Charges haue bin very Grate in the Improufement of seuerall parsells Bounded alowd of By the select men & the Towne sowne

Records except the fresh meddow : & the Iland the medow :
 Leys in another towne as we purches itt & haue deed wee
 desire wee may haue a Grante that we bought according
 to the bounds all Reedy settled.

Mr. John Thorpe.

County of // Att a Court houlden at Yorke for this
 Yorke // County July 4th 59: Mr John Thorpe
 psented by the Grayne Jury as followeth/

1 : Wee p'sent Mr Thorpe for abuseing Mr. Rober^t Jordan
 in his owne house in soe much y^t Mr Jordan was forced to
 Comānd his owne servants to turne him out of doores/

2 : wee p'sent Mr Thorpe for excesse In drinking/

3 : wee p'sent Mr Thorpe for teaching vnsound doctrine/

In reference to these 3 p'sentments aboue written Mr
 Thorpe was examined by the County Court yⁿ in being, &
 by Admonition vpon payment of the officers ffees, was from
 y^m by the same Court discharged/

As Attests Edw : Rishworth Re : Cor :

Deposition

The deposition of John foxwell aged 22 yeres or there-
 abouts.

This deponant maketh oath that about the beginning of
 Septemb^r Last hee was at Andrew Algars howse wher
 weare p'sent m^r John thorp Richard More & goodwife Algar
 where hee did here m^r John thorp bid him & the rest that
 were p'sent tell Elizabeth baylie the wyfe of Jonas Baylie
 that she was a witch & he had proved her so to be aftarward
 he added & said she was a Rotten dammed witch as ever
 held Bread and swore by god to it & farther saith not

Taken before mee first of

octobar 1660

in the p'sence of me

Robart Jordan

ffrancis Neale Comish

Deposition

Richard More aged 40 sworne saith that m^r John thorpe said before him & many more that Jonas baylies wyfe was a stinking rotten witch & he had proved one & bid John Foxwell tell here soo & bovdn it with an oath & farther saith not.

Taken before me this i9 of octobar 1660

Henry Joccellen Comish

This a true Copie of thes to deposissions attested by mee George Cleeve Comishinr

Request of Inhabitants of Scarborough

The honered Genarll Court the hvmble Request of the Subscribars the Inhabetants of Scarborough shewing

that wee together with othar the Inhabitants our neighbours of our towne did for som too yeres sinc or vpwards entartaine & make agrement with m^r John thorpe to be helpfull to vs in the work of the ministry for one yere for a triall of his sufiency in that his function for that tyme hoping that he was sownd & orthodoxal in his doektrin & holy & vnblamable in his Convarsation, that therby wee might haue bin Instructed in the waies of god & haue bine eddified & built vp in the most holie faith but in short tyme wee fownd wee weare deseved of our hopes & expectations hee proueing not so able or willing in his place as wee hoped he had bin to Instruct vs in the wais of saluation.

and to our great grefe wee ar Inforced to accuse him of notorious Crimes in his Convarsation as may appere by sevarall testimonies vpon oath & sevarall p^rsentiments in Court of Drvnkenes & Revilings & slaundring of neightbours & othars & diuars Inordinat Cariges verie vnseemly for any Christian much more vncomly for a minister of the gospel

of Jesus Christ by all which wee Conseaue he doth mvch more hurt by his evle example in life then evar hee did or can doe good by his doctren In considaration whereof all though wee weare contented to pay the first yeres composition in regard of our promise y^t we hope the honored Court will not Compell vs to pay our monny against our wills to a wolfe in sted of a shepard nor Infore vpon vs a nessesity of coming to here him preach by whome wee can receaue no eddifying which wee conseaue is but to desemble with god to p^rsent our bodis before the lord when our harts can not close with the mouth that speaketh to god for vs who we feare haue not the Spirit of piety & so make our selues guilty of the breach of that great comāddement thou shalt not take the name of god in vaine all which being Left the considaration of the honered Court we desire to Subscrib one by one our names or marks to be humble sarvants & shall pray.

Richard ffoxwill Senor

Andra Browne

Richard ffoxwill Jner

John ffoxwell

Alexander Smeth

Christopher Collins

Jonas  Baylie his mark

Mr John Thorpe

Vpon Information giuen to this Court of severall misde-meano^{rs} comitted by m^r John Thorpe who vndertakes to be a preacher at Scarborrow In answer wherevnto this Court doth order & the sd Thorpe is hereby enjoynd that after due notice hereof he forebeare to preach any more vntill Yorke Court next, where the Cunstable of that towne shall warne him to appeare together with such Wittneses or suf-

fycyent Testemonyes taken vpon oath before any Empowred to take Evidences in that County which sd County Court shall examine the ground of this Comp^l: & proceed therein, as the lawes of this Co^mon wealth doe provide in such cases the Deputyes haue past this Desireing the Consent of o^r hono^{ed} magis^{ts} hereto 28 3^d. 1661 William Torrey Cleric.

Consented to by y^e magis^{ts}

Edward Rawson Secret

Petition of Inhabitants in Wells.

To the much Honoured Generall Court of y^e
Massachusetts Colony

Assembled at Boston May. 22. 61.

This Petition of ours, who are Inhabitants in
Wells

Humbly sheweth to you Right Worshipfull, & much honoured That where as it hath beene yo^r good pleasures, by an order Dated October 16. 60. to Injoyne mr Seth ffletcher to forbear preaching any more amongst vs. Wee humbly & earnestly request that you would be pleased to take of the sd Injuntion, And that the sd ffletcher may haue libertye to accept a call, & to settle him selfe amongst vs, or any othe^r people, for the dispencing of the vnsearchable riches of Christ, & the Administration of his Ordinances, One ground of our petitioning to you in this manner, on his behalfe being publique, generall, & perticuler satisfaction ffalling downe at y^e feete of God & men. acknowledging whatsoever (conserning the differences, that hath beene beeweene some perticular persons & him-selfe) hath beene or (as apprehended by vs) could be demanded of him. The truth & sincety of his repentance

his practice doth declare, by his humble & holy walking wth a manifestation of his desiers, not to offend, or greeue, y^e spirits of the least, or weakest Christians, much lesse the Spirit of Christ it selfe, And we hope (haueing no cause otherwise to thinke but y^t) if you shalbe pleased to yeeld to our humble Implorations, he will proue very serviceable & vsefull to the Church of Christ, Bee pleased therefore to graunt you^r favourable acceptance hereof causing vs to enjoy ou^r wished desires, & yo^r suppliants shall pray God, for y^e presevation of all this, honoured Assembly, & that vnde^r you, wee may lead a quiet, & peaceable life in all godlinesse, And honestie.

from Wells May 17th 61

Edmond Littlefeild	Nicholas Cole
John Wadleigh	Thomas Littlefeild
John Chater	Thomas Mussell
Jos : Bolles	Will Cole
Insign John Barret	ffra : Littlefeild
Will Buckland	Will Ashleigh
John West	John Littlefeild
ffra : Littlefeild Sin :	
Will Hamond	

The Co^mittee Returne vpon
this petition

The comittee Thinke it not expdient for the court to grant his petitiō vntill m^r ffletcher bring or send a certificate from the County Court of Yorke of his repentance & good conūsation ; datted the 28th may 1661

Daniel Gookin
Elea : Lusher
Edward Tyng

The Deputies approue of the returne of the cōmittee in reference to this pet. Desireinge the Consent of o^r Hon^{ed} magistrates hereto

William Torrey Cleric.

4 June 1661. Consented to by y^e magist^s

Edw Rawson Secret

Commission May 17. 1662

To Major Generall Daniel Denison major William Hawthorne & Cap^t Richard Walderne yow are hereby Required & Auorized to Repaire forthwith to Yorke or Wells in the county of Yorke so as yo^w be there at or before y^e 26th of Instant May when a Generall Court is (as this Court is Credibly Informed by y^e Authority of Henry Jocelin Esq^r m^r Robert Jordan & m^r Nicholas Shapleigh sumoned to meete together to excercise Goũment ouer the good people of that County, who by their subscriptions & oathes haue subjected & acknouledged themselves to be subject to the Authority of the Massachusetts Jurisdiction as being wthin the line of this pattent) and to Inquire into the Grounds of such their declinings from y^e obseruance of their oathe^s & duties according to y^e Articles & Agreem^{ts} betweene them & this Gouernment and on their perysall & examination of what by the said m^r Jocelin Jordan & Shapleigh shall present shall on the behalfe of thes Goũments Require themselves & y^e people to Returne to their due obedience vntill this Genl Court by their Application & Adresse to his Maj^{ty} & due Information of the state of the case & our Just Right to those parts full & cleere orde^rs shall be Returned suitably to y^e aboue mençoned articles & in y^e meane time either by themselves or such as they shall Appoint keepe y^e ordinary

& vsuall courts y^t due Justice may be Administred as occasions shall present & further act & doe in y^e p^rmisses what they shall find most Just necessary & beneficiall for y^e establishment of order & peace & y^t the Tresurer of y^e Country furnish y^e s^d Comissio^{rs} wth tenn pounds for their necessary expenses

Voted by y^e whole court

17 May 1662.

E. R. S

That this Comission be signed by them
That y^e Comissione^{rs} be furnished wth
tenn pounds money : —

Agreed

///

It is Ordered that for & In Consideration of m^r Thomas Danforth^s his furnishing the comissione^{rs} to Yo^rke wth tenn pounds money shall haue Graunted him as an Addition to y^e two hundred acres of land Graunted to him by this Court so much land ling between Whip Suffrage & path adjoining to his farme as old Goodman Rice & Goodman How of marlborough shall Judg y^e s^d tenn pounds to be worth & they are impowred to bound the same to him//

Voted by y^e whole Court

E R S

17 May 1662

These

For the right worship^{ll} John Endicott Esq^r Govern^r of the Mascatusetts Coloney Psent

Petition of W^m Crowne

[A number of words in this petition are wanting.]

of that Liberty frighted him soe, as that he durst not serue the Attachm^t upon him at yo^r petitioners Suite for a dept of 17^{ls} 12s soe as yo^r petition^r lost all his charges and Labo^r as did appeare upon oath to the said Court by Sam^l Hall yo^r petition^rs Attorney, but yo^r petitioner receiued noe reliefe And since yo^r petoitin^r hath used all meanes possible to bring y^e s^d Mr Jordan to y^e court of Associates at Yorke by an Attachm^t serued by y^e Marshalls Dep^t both upon him for his contempt, and upon y^e afores^d Sandford for neglect of his duty, and by tricks, shifts and evasions the said Jordan & Sandford putt y^d Cause offe from a tryall there under pretence that the Marshall had no power to serue Attachm^{ts} in the said Jordan's Liberty.

The premisses considered, and for that yo^r petition^r hath used all meanes possible to procure a tryall at Law with the said Jordan & Sanford at Yorke to his great charge ollready, and seeing that Marshalls cañot and Constables dare not serue Attachm^{ts} upon him; there is noe other place left for the Reliefe of yo^r petitione^r but by this honrd Court.

Doth therefore humbly pray that the said Jordan and Sandford may be injoynd to Answer yo^r petitione^r at some Court neere adjacent in regard yo^r petition^r hath spent so much time & charge to bring it to tryall in those parts & all to no purpose, & in regard of yo^r petitione^{rs} inabillity to travell.

And yo^r petitione^r shall pray &c
W^m Crowne

Report

16. (8) 1662. The Co^mittee haueing considered the contents of this Peti^ccon, do conceiue that it will not be justifiable for the authourity of this Court to Avert the

Course of Justice by themselves constituted, but do Judge meet that y^e petition^r take his remedy agst either offic^r or d^r according as Himselfe shall Judge best:

Thomas Danforth

Edward Johnson

Roger Clap

The Deputyes approue of the returne of the co^mittee in answer hereto o^r Honord magists consenting hereto

William Torrey cler.

consented to by the magist^{ts}

Edw Rawson Secret

George Cleeve vs. Rob^t Jordan

The Declaration of George Cleeve or his Bill
of Complaint against m^r Robert Jordan of
ffalmoth in the County of York./

Imp^{rs}

M^r Robert Jordan At the County Court of York, held in the Moneth of July in the yeare 1659: Did make Sute against me for a debt not pperly myne but soe p^rtended and reco^ded against me to the value of Ten pounds Ten shillings and Costs of Court, To the w^{ch} that he had no just ground of Sute against me, I make appeare as followeth

1 Although I acknowledged that I did receive of him to the value of Ten pounds yet it was not on my owne acco^t But on the Generall acco^t of the Townes of ffalmouth and Scarborough in the County of Yorke aforesaid: I being

appointed (by them) to appeare at the Generall Court in their behalfe And my charges appointed by them to be borne, in part whereof I received the beforenamed sum of Ten pounds And m^r Jordan him selfe did ingage to pay his pportion of the Charges and to supply me while I was at the Court as I can by evidence make appeare :

Secondly

in an Acton by me Entred and psecuted against him at the same Court for vnjust claimes by him layd to my Lands and wrongfull interuption and hindrin of my rents &c himselfe being an associate of that Court, I was cast as I conceive Wrongfully in that action and the Costs of Court found me, w^{ch} I also for further clearing referr to testimony

Thirdly

M^r Robert Jordan having recoiled the sd^t actions against me, takes forth executions against me for it as also for the Costs of Court aforesaid All w^{ch} with Charges of Extending did amount vnto the sum of Seventeen pounds or thereabouts as appeares by the Constables testimony who Levied it on my house & houshold goods and cow :

ffourthly

M^r Robert Jordan having soe recoiled & extended as aforesaid notwithstanding did not then expel me my house nor tooke poseession of it but tooke my word & engagmt to pay him the just sum due to him by virtue of the said judgment^s, w^{ch} accordingly I did fully pay vnto him, notwithstanding w^{ch}, I having given him vnder my hand that the house & goods should remaine as his till the sum were paid, And though I had paid it fully yet a Court of associates in March last (him selfe being on of the associates he sues me againe for deliūy of my howse goods and Cow and recoiled against me, and hath taken them from me and holds them, the

house being prised but at 8^{li} w^{ch} but a little before cast me 60^{li} —

ffifly

Mr Jordan at a forin Court of that County aforesaid (w^{ch} I shōld have minded before) After he had cast me in the Accion of interruption aforesaid, did, vnder p^rtence of law, sue me in an action of vnjust molestation, because I recoled not the action against him, though it was a just action w^{ch} I p^rsecuted but him selfe being of that Court I was Cast 5^{li} againe in that action, and he not being therewith contented demands of me 15^{li} alledging that the law gives treble dañages in such cases w^{ch} I conceive I shall make appeare to the Hono^{ed} Court to be a very vnjust and injurious thing

Sixthly

At the same court of Associates in March last, having againe recoled my howse, cow Bed & Bolster & Bedd clothes, my Brewing-kettle, pott and other goods Obtaines an execution directed to the Counstables deputy to possess him the said Jordan of the said house and goods & Coñdanded the counstables deputy (being his owne Creture) to throw out all my other goods as Apparrel, Chests, Trunks and pvisions out of doores, who soe acted to the spoyling and breaking of many of my things, and whereby I lost much of my goods and writings and Apparrel of my wives and many other things to my dañage more then a hundred pounds sterling: And more to vex and grieve me he brought with him on of his owne men (to assist the Coñstables deputy) who was stark drunke, taking my Kettle & pott being full of Worte for beere, redy to tun up, and threw it about the house and carried away the sd Kettle & pott and detaineth them to this day being contrary to the Law in such cases p^ruided; And further to increase my griefe, he required his drunken man and deputy Counstable to goe

into my wifes chamber where she was laid on her bedd & very sick who in a Barberous manner pulls her from off her bedd and takes her bedd from vnder her and the bed clothing and carries all away — My wife being noe lesse then fouer score & seven yeeres of age And all this done after a warrant of Attachm^t was served vpon the said house, Goods and Cow, by the said Deputy Counstable, vnder the hand of m^r Edward Rushworth on of the Associates, requiring the said house and goods to be responsable to answer my action of review to be tryed at the next Court of Associates where (intrueth) I have smale hopes of good success in my sutes against him he being one of them And one that Bouldly sayed — Let them if they durst, finde any thing against him. My suspition being the greater for that I p^ued at the last Court that I had paid m^r Jordan Twenty pounds towards the Two Executions to purchase my peace for the p^esent vntill I might by sum review or complaint redress my wrong for all which I had no allowance by any order of Court Albeeit the Two first executions came but to 15^{li} 10^{ss} beside what I paid the Counstable for fees and other Charges as appeereth by the Counstables testimony soe that m^r Jordan detaineth from me wrongfully my money goods & Two Cowes being all the Cattle I had for my Subsistance for the p^esent and hath p^offerd to sell my house, to any that would buy it And all this of purpose to starue and ruine me and my family :

All w^{ch} I hope this Hono^{ed} Court will duly Consider and order my repaierations :

Georg Cleeve

The Deputyes Conceiue in answer to this pet that the County Court of Yorke next are hereby Ordered to examine the grounds of these Complaynts exhibited agaynst m^r Jordan & p^oceed therein as they shall Judge meete according to lawes here established :

the Deputyes haue past this Desireing or Honor^d magist^{rs}
Consent hereto

24: (8) 1662

William Torrey Cleric.

Consented to by the magist^{rs}

Edw. Rawson Secret

Letter from George Cleeve Nov. 24. 1662.

Evar honored Sirs

Aftar my due Respects & hvmble sarvic p^rsented thes
may Informe you that sine yo^r Com^{is}hionars were at York
we mening m^r Georg Monjoy & my selfe, by accedent re-
ceved a papar named a warant from m^r Henry Joccellen
derected to m^r John Gey Constable of falmoth which aftar
wee had Red & Considdered wee thought Requisit to take
this exact Coppie here Inclosed & to detaine the papar vntill
the puplicacion of the Genarall cor^t warant was by my self
publiqly Red in the Congregation the whole towne being
psent the last lords day aftar meting at which tyme allso m^r
Monjoy Red the Kings Lettar, & had not m^r Rishworth^s
Care bin to send the Courts ordar Inclosed in a lettar to m^r
Monjoy wee had bin deprived of the benifet of the Courts
ordar for wee ar truly Informed that the ordars sent to all
the towns in that County wear stopped & not published
neithar in Sacoe nor Scarberoh but contarmanding warants
in his Majgistas name vndar the athority of m^r Georgs &
vndar the firme of m^r Joccellen published thare, Wee allso
vndarstand that the p^rtended Com^{is}hionars haue apointed a
meting at Sacoe the 25 day of this psand Novembar & wee

sopose is to see what strength they can gather to supres yo^r athority & to establish ther p^tended intrest who haue given it out that the Genarall Court haue desarted the towns of falmoth & scarboroh & that m^r brodstreet & m^r norton haue desarted the whole Conty of Yorksheire in England & here to & thervpon many or all well afected in Welse & elsewhere ar put to agret stand fearing that the Massachusetts Collony doe deale dublie with them, by reson of thes & othar such lick storis given out by m^r Jocellen, who allso reports that they doe daylie expect m^r Mavarick with four othar Comishonrs in too great friggets to countermand yo^r athority in this yo^r Jurisdiction, but I beleve the ships ar not y^t buylt, wee may expect spedily m^r Jocellen & m^r Jordan to com to our town to see what they can doe theire but my care shall be to defete their purpose in what I may.

Now farthar my humble Request is that you will forth with seriously Consider of a Cource to be taken with thouse who doe deale thus parfiddiously, having taken the oath of freedom & fidelity for example to othars & for the maintainanc of yo^r owne honar who haue Ingaiged to p^tect all the well affected in this yo^r Jurisdiction.

I allso desire to vnderstand yo^r sence whether the Jendarall Courts mind was that the offisars in that County that was chosen & sworn vnder yo^r athority should stand in their places till the tyme of newe election or these Constabls Chosen & sworne by m^r Jocellen & vnto that powire. And as tuching Assoticats wee vnderstand that m^r Jocellen & m^r preble haue both refused the oath & the exarsise of their places & only m^r Rishworth & m^r Chadborn sworn & m^r Monjoy not swone willing to submit when tendered vnto him now I desire to know whethar I may not administar the oath vnto him as is derecte in the Law book being a Comishion^r & apointed by the Court to administar the oath of the Lord to any parson as occation may Require or whethar

any othar asotiats may be appointed to the number of five as also whethar any othar Coñishionars may bee apointed for the too towns of falthoth & scarboroh in the Roome of m^r Joccellen or any othar in case of Refusall for wee suppose theire may be great nede of a Court shortly.

I can not omit to giue you to vnderstand that M^r Joccellen doth trompet abroad that ther ar many discontented in boston & to the westward about the Kings lettar & I feare it pseds from a sperit that faine would rays a facktion amovngst vs if not tymly p^rvented but I hope that the wisdom & Counsell of god is with you or else who knoweth how great a flame a littell fire may kindell all which I Leue to yo^r wise Consideration hvmblly desiring a spedie answer if it seeme good to you by som publick officar or othar safe messengar in Regard of the season of the yere thus craving pardon for my bouldnes to be so larg Comending you all to the grace of god evar Resting yo^r faithfull & humble sarvant to co^mmand

Georg Cleeve

Falthoth novembr 24-62

Letter from Richard Walderne.

honered sir Considering the nesity of some Asistance frome you for the County of yorke I make boold to trobell you with theas lines for your Informacon how the state of things stand that soe you may the better know what to doe in the Case.

first when Captin Pike and my selfe Came to the Adjorned Court at Yorke we met with Maigor Shaply and m^r Joslyn but finding ther sperits very hie wee did littall but my self

according to the ganerall Court order did Act boath to Read the Warrant and gaue the Asocats ther Othes two of them Wher vpon maigor Shaply did protest agaynst it and sayd the Massitusetts should haue nothing to doe ther but notwithstanding wee partad pecaball) after this I was informed that M^r Joslin should say that they would try whether the masatusets would or durist medell with them for they did desier to try their pouer and doe very much Insult ouer those that doe sticke Close to the bay which is allmost all especially the better part and are much trobled that maigor is let goe on in this manner as he doth for he shelters all the quackers that come into our parts and folloeth them wher they meate which is not only a disturbour vpon that side but also on our side which is but the Riuer betweene: and soe they Come into our towne and presently they are gone ouer the Riuer and soe his house is the harbor for them all and some say he is dictated by the litell Crooked quacker) and about 4 days sence the counstabell Kittery hauing a warrant to publish at a tōwen meating according to generall Cort order he warning the meeting maigor Shaply sends his marshall and Carrith him to york gayle ther to ly to see whoe will set him free and therby the peepl are much trobled and doe expect some speedy Coorse to be taken by your selfe and the Counsell that such proud Insolent sperits may be Crushed or elce the good pepell of the Contry and those that haue stood Close to your gouernment will be utterly vndone and likewise a harbor for all the Rogs in the Contry and our towne will be soe disturbed with the quackers and others that we shall hardly be at peace: therfor my humbell Request is that you will send for maigor Shaply which may esly be done by the Contry Marshall or some other man as you shall see most Conuenient: for he with his great words puts the pepell into such a feere that they know not what to doe, for Just ground for sending for him in part is spoken

before but to vndermine the gouernment contrary to his othe and engagment is matter enough to send for him to prison but for that I learne, as for ther Comiseon they haue worn but some buttons: but say they expect it by euery Ship but if thes distractors be let alone it is to be feared will Ruin many in ther Estats if not ther souls by thes Eronous persons that goe abood:

Not elce by desiering the lord to prosper your weyghty occasans and Remayne your seruant to be Comanded

Richard Walderne

Petition of Daniel Goodwine.

To the Honord the Generall Court of
the Massatusetts now Assembled
att Boston/

The humble petition of Daniell Goodwine Constable
of Kittery

Sheweth,

That w^{as} those daly Interruptions w^{ith} o^r County hath beene of late exercized by Esq^r Goges Co^m-issio^{rs} relateing to yo^r authority which for severall years hath beene settled & peaceably Carried on amongst us (cannot but In a greate measure bee knowne to yo^r worships & how fare both according to o^r oaths & articles severall of us haue opposed y^r authority, & done o^r best Indeauours to mantayne yours, In p^rformance w^{of} generall distractions haue broaken in amongst vs especially referring to those that are officers being disinabled from the due execution of y^r places to our Generall p^rjudice, & my selfe being a sworne officer amongst others, In the discharge of my place for warneing of Towne meeteing att Kittery to publish the Generall Courts order amongst other necessary Occasions, was ceazd vpon by James Wiggin y^r prouince Marshall by Major Shapleighs order for acting vnder the Massatusetts

authority, & putt into yorke Goale w^r I must haue Continued to the greate p^rjudice of my selfe & family had not Mr. Rishworth or some other Ingagd with mee in a bond of one hundred pounds to answere at the next Court to bee houlden for this p^ruence/

Hono^{ed} Gentle^m: these & the like discourageing Injurys Inforceth mee to Complayne, & craue my security from your selues according to your Ingagement by articles of agreement, & as by yo^r late Act you require o^r continued subjection, I do desire yo^r p^rection, & Call for yo^r speedy sūcor & Assistance, to p^rvent anie Determent wch otherwise may Accrew by my sufferings from these Comissio^{ns} either in my p^rson or estate for p^rformeing obedience to yo^r authority according to my duty, from whom I do wayte for releife, & security vnder yo^r p^rouer (till his Magesty otherwise determine, for obtayneing w^rof, It is the earnest request of yo^r worships humble seruant

Decembr 10 : 62 :

to bee Comāded,

Daniell Goodwine

his marke 

Constable

Letter to Gov. Endicott

Goodwine Const of Kittery^s letter to

Gofino^r Endicott

p^rduced in Court May 1663

Sir I haue made bould to Inclose my Addresse for releife to the Generall Court vnto yo^r worships, whose furtherance y^rin I doe humbly Craue with as much conven-

ient speede as may bee, desireing the Lord to guide you In
all yo^r weighty affayres, I take leaue to subscribe my selfe

Yo^r humble seruant

Daniell Goodwine.

For the right worship^h

John Endicott Esq^r Governe^r
These of the Mascatusetts Coloney

Psent.

Letter from Henry Jocelyn & others Commissioners
Nov. 5. 1664.

Gentlemen //

Our hono:^r done vnto you, The progresse of the affayres of y^e province of Meyne, being to you, as us, well known :

This application to you, doth Importune yo^r reception of these our trusty & well beloved, Collonell Archdayle, and Mr Francis Hooke, whom by espetiall co^mmand & Instruction wee haue Chozen ; for the seruice of his Sacred Magesty, and our Ld Proprietor Fardinando Gorges Esq^r, to tender vnto you a gracious order from his sd Magesty, humbly Attended with a Letter from the sayd Fardinando Gorges Esq^r which wee hope, & pray, to you may bee very Acceptable, & by you duly responded : Further requesting In the name of our selues, & the people of the s^d province, your

Courteous & peaceful disceadure from further comāding vs
& them, which wee hereby & truly resolue, no way resistiue
to the præcedent articles by your selues Concluded, &
further know our selues (as hath beene publist by an Imē-
diate order & command from his Sacred Magesty bound to
yeild our obedience to the sd Fardinando Gorges Esq^r: For
which in soe doeing, wee shall Ingage all Attendency to
Neighborhood, & all amicable seruice/

Sir — your freinds & Servants/

Dated this 5th of Novembr

: 1664 :

Henry Jocelyn. Com

John Archedale Com

Robert Jordan comr

Edw : Rishworth Comisso^r

ffran Raynes Comis^{rs}

Tho Withrs Coms^r

*Protest against the Gov^r & Council of Massachusetts inter-
meddling with the Government of the Province of Maine.*

Nov. 5. 1664.

Whereas his Gracious Majestie King Charles y^e Second
hath beene pleased to confirme by his Immediate order vnto
fferdinando Gorges Esq^r, y^e Government & territories of y^e
province of Maine for Ever, & to Command a resignation
from all persons vsurping y^e foresaid Government, whereof
Wee are Commanded to giue signification: Wee Do
therefore giue notice to all persons of y^e vnlawfull-

ness of any such Act, more pticularly to y^e Governor & Councell of y^e Massachusetts Colonie; protesting against their intermeddling wth y^e government threof, as they will answer y^e Contrary att his Majesties indignation, w^{ch} is done in y^e name of Ferdinando Gorges Esq^r Sole Proprietor thereof, & declared so to bee by y^e forementioned Act of Grace: for y^e proof & in y^e Mayntenance whereof wee do Appeale to his Majesties honorable Commissioners Colonell Richard Nicols, S^r: Rob^t Carr Georg Cartwright Esq^r Samuel Maverick Esq^r: from whome wee shall expect equall Justice

Dated y^e: 5th Novembr:

1664

ffran: Champernown	Com
Henry Jocelyn	Co ^m iss
John Archedale	Commir
Robert Jordan	Com ^m
Edw: Rishworth	Co ^m isso ^e
ffran: Raynes	Co ^m isr
Tho Withrs	Co ^m r

Answer to Letter from Henry Jocelyn & others.

At A Councill called by the Gouverno^r Cap^t. Gookin m^r Russell & m^r Lusher & held at Boston the 30th of Nouember 1664.

In Answer to a letter Directed to the Gouverno^r & council from Henry Jocelyn Esq^r m^r John Archdale m^r Robert Jordan m^r Edward Rishworth &c on the behalfe of fferdinando Gorges Esq^r for the surrender of the Province of Maine to

the said m^r Gorges or his Comissione^{rs} according to his Majesties pleasure signified in his letter bearing date the 11th of June 1664.

The Council assembled declare that the lands conteyned in the County of Yorke by them called the Province of Maine, were & are claimed as part of the Patent graunted to the Massachusets which Patent preceds the Patent granted to S^r fferdinando Gorges and therefore the council may not give vp the Interest of the Colony wthout the consent of the Generall Court, who wee doubt not will be ready to Attend his Majesties Order in taking their first oppertunity to give his Majesty their reasons for there so clayming.//

And further the Council doe declare that they haue good reason to believe, that his Majesty haue biinn misinformed concerning this matter, & that ou^r messenge^{rs} to his Majesty haue been misrepresented or mistaken. Wee having neuer vnderstood from them any such concessions, as are related to be made by them nor were they comissionated to act therein./

And doe also further declare that no Comissione^{rs} ought to excercise and Gouvernment in Yorkshire, or Province of Maine so called by virtue of any Comission from m^r Gorges; nor any the Inhabitants yeeld obedience, countenance, or asistance, to any such comissioners but ought to continew in their subjection to the Massachusets according to the present establishment of Gouvernment amongst them: /

His Majesty having declared his pleasure that the Massachusets Colony shall haue liberty to vindicate their right, by rendring his Majesty the reasons of their claime before any absolute injunction of their surrender; the æquity whereof some of the principall Inhabitants of the said place

haue before conceded vnto, as may appeare by their articles by them signed & therefore If any evill & Inconvenience shall fall out by the Interposition & Interruption of any of the abouesaid Comissione's they must be accounted the autho's thereof & expect to be accomptable to his Majesty for the same.

By the Council Edward Rawson Secret

That this a true Copie Compared wth the originall act of the Council :

Attes^t Edward Rawson Secret.

Duke of York's Patent. 1664.

Charles y^e Second by y^e Grace of God, King of England Scotland France & Ireland, Defender of y^e faith &c. To all to whome these p^rsents shall come Greeting. Know yee y^t wee for divers good causes & consideratio^s haue of o^r special grace certaine knowledge & meere motion given & granted, & by these p^rsents for us o^r heyres & Successors Doe give & grant vnto o^r dearest brother James Duke of Yorke his heyres & Assignes, All y^t part of y^e maine land of New England begining at a certaine place called or knowne by y^e name of St Croix next adjoyning to New Scotland in America, & from thence extending along y^e sea coast unto a certaine place called Petnaquind or Pemaquid & so up y^e riue^r y^r of to y^e farthest head of y^e same, as it tendeth northwards & extending frō y^e river of Kinebeque, & so up-wards by y^e shortest course to y^e river Canada Northwards,

& all y^t Island or Islands comonly called by y^e several name or names of Matawacks or Long Island, scituate & being towards y^e west of Cape Cod, & y^e Narrow- Higgansetts, abutting vpon y^e maine land betweene y^e two rivers y^r called or knowne by y^e several names of Connecticutt & Hudsons River, together also with y^e s^d river called Hudsons river, & all y^e land frō y^e west side of ye Connecticutt river to ye east side of Delaware bay, And also all those several Islands called or knowne by y^e names of Martin vineyards & Nantukes otherwise Nantuckett, together with all y^e lands Islands soyles rivers harbors mines minerals quarryes woods marshes waters, Lakes ffishings hawking hunting & fowling: & all other Royalties proffitts comodities & hereditam^{ts} to y^e s^d several Islands lands & p^rmisses belonging & appertaining with their & every of their appurtenances, & all our Estate Right, title & Interest benefit & advantage claime & demand of in or to y^e s^d Lands or p^rmisses or any part or parcel thereof, & y^e reversion & reversions remainder & remainders together with y^e yearly & other Rents revenues & proffits of y^e p^rmisses & of every part & peell y^of. To Have and to Hold all & singular y^e s^d lands & p^rmisses with their & every of their appurtenances hereby given & granted, or herein given & granted, or herein before mentioned to be given & granted unto o^r s^d dearest brother James Duke of Yorke his heyres or Assignes for ever. To be holden of us o^r heyres & Successors as of o^r manno^r of East Greenwich in o^r County of Kent in free & comon soccage & not in capite or by Knights service, yielding & rendring; And y^e s^d James Duke of Yorke for himselfe his heyres & assignes doth covenant & promise to yield & render unto Us o^r heyres & successors of & for y^e same yearly & every yeare forty beaver skins when they shall be demanded, or within ninety dayes after such demand made. And we do further of o^r special grace certain knowledge & meer motion for Us o^r

heires & Successors giue & grant unto o^r s^d dearest brother James Duke of Yorke his heires Deputyes Agents Co^mmission^{rs} & Assignes by these p^rsents full & absolute power & Authority to correct punish pardon governe & rule all such y^e subjects of Us o^r heires & Successors or any other p^{er}son or p^{er}sons as shall frō time to time adventure y^mselues into any y^e partes or places foares^d, or y^t shall or doe at any time hereafter inhabit within y^e same according to such lawes orders ordinances direccō^s & Iustruccō^s as by o^r s^d dearest brother or his Assignes shall be established; And in defect thereof in cases of necessity according to the good discretions of his Deputyes Comission^{rs}, Officers or Agents respectiue^{ly} as well in all cases & matters capitall & criminal as Civil Marine & others, so alwayes as y^e s^d Statutes ordinances & proceedings be not contrary to, but as neere as may be agreeable to y^e lawes statutes & Govern^t of this o^r Realme of England; And saving & reserving to us o^r heires & successor^s y^e receiuing hearing & determining of y^e Appeale & Appeales of all & or any p^{er}son or p^{er}sons of in or belonging to y^e territoryes or Islands afores^d, or touching any Judgm^t or sentence to be there made or given, And farthe y^t it shall & may be lawfull to & for o^r s^d dearest brother his heyres & assigns by the p^rsents from time to time to nominate make constitute ordaine & Confirme such lawes as afores^d by such name or names, stile or stiles as to him or them shall seeme good; And likewise to revoake discharge change & alter, as well all & singular Governo^{rs} Offices & Ministers which hereafter shall be by him or y^m thought fitt & needfull to be made or used within y^e afores^d Islands & parts And also to make ordaine & establish all manner of lawes orders direccō^s Instruccō^s formes & Ceremonies of Govern^t & Magistracy fitt & necessary for & concerning y^e Govern^t of y^e Territoryes & Islands afores^d, so alwayes as y^e same be not con-

trary to y^e lawes & statutes of this o^r Realme of England, but as neer as may be agreeable therunto & y^e same at all times hereafter to putt in Execution or abrogate revoake or change, not only within y^e p^recincts of y^e s^d Territoryes or Islands, but also upon y^e seas in going & coming to & frō y^e same as he & they in their good discretions shall thinke fittest for y^e good of y^e Adventurers & Inhabitants, And we do further of o^r especial grace certain knowledge & meer motion Grant ordaine & declare That such Governo^{rs} Deputyes Officers & Ministers as from time to time shall be authorized & appointed in manner & forme afores^d shall & may have full power & authority within y^e territory afores^d to use & exercise Marshall law in case of rebellion Insurrecō & mutiny in as large & ample manner o^r Lieu^{ts} in o^r Countyes within o^r Realm of England haue or ought to haue by force of their Co^mmissiō of Lieutenancy or any law or statue of this o^r Realme, And we do farther by these p^rsents for us or heires & successors grant vnto o^r s^d dearest brother James Duke of Yorke his heyres & Assignes y^t it shall & may be lawfull to and for y^e s^d James Duke of Yorke his heires and assigns in his or their discretion frō time to time to admitt such & so many pson & psons to trade & traffick into & within y^e Territoryes & Islands afores^d & into every or any part or parcell therof, & to haue possess & injoy any lands & hereditam^{ts} in the parts & places afores^d as they shall thinke fitt, according to y^e lawes orders constitutions & ordinances by o^r s^d brother his heyres Deputyes Comission^{rs} & Assignes from time to time to be made & established by virtue of & according to y^e true intent & meaning of these p^rsents & under such conditions refo^racō & agreem^{ts} as o^r s^d dearest brother his heires & assigns shall sett downe order direct & appoint & not otherwise as afores^d. And we do farther of o^r especial grace certain knowledg & meer motiō for us or heires & successors giue & grant vnto o^r s^d dearest

brother his heires & Assignes by these p^rsents that it shall & may be lawfull to & for him them or any of them at all & every time & times hereafter out of any of o^r Realmes or Dominions whatsoever to take lead carry & transport in & into their voyages for & towards y^e plantacō of o^r s^d Territoryes & Islands afores^d all such & so many of o^r loving subjects or any other strangers being not prohibited or under restraint, y^t will become o^r loving subjects & Liue under o^r Allegiance & shall willingly accompany them in y^e s^d voyage together with all such cloathing Implements furniture & other things usually transported & not prohibited as shall be necessary for y^e inhabitants of y^e s^d Islands & Territoryes & for their use & defence therof, managing & carrying on y^e Trade with y^e people there & in passing & returning to & fro, yielding & paying to Us o^r heires & successo^{rs} y^e Customes & duties therefore due & payable according to y^e lawes & customes of this o^r Realme. And we do also for us o^r heires & successors grant to o^r s^d dearest brother James Duke of Yorke his heires & Assignes & to all & every such Governo^r or Governo^{rs} or Deputyes their officers or ministers as by or s^d brother his heires or Assignes shall be appointed to haue power & authority of Govern^t or cōmānd in or over y^e Inhabitants of y^e s^d Territoryes or Islands, y^t they or every of them shall & lawfully may frō time to time & at all times for ever hereafter for their several defence & safety encounter, repulse & repell & resist by force of Armes (as well by sea as by land) & all wayes & meanes whatsoever all such pson & psons as witout the special license of o^r dearest brother his heires & Assigns shall attempt to inhabit within y^e several p^rcinets & li^mitts of o^r s^d Territoryes & Islands, And also all & every such pson & psons whatsoever as shall enterprize & attempt at any time hereafter y^e destruccō invasion detriment or annoyance to y^e parts places or Islands afores^d, or any part therof, And lastly o^r will & pleasure is & we do hereby declare &

grant, That these o^r Letters Pattents or y^e enrolment therof shall be good & effectual in law to all intents & purposes whatsoever Notwithstanding y^e not well & true reciting or mentioning of y^e p^rmisses, or any part therof, or y^e li^mitts or bounds therof, or of any former or other Letters Pattents or grants whatsoever made or granted or of any part therof by Us or any of o^r progenitors unto any any p^rson or p^rsons whatsoever, Bodyes politick or corporate, or any law or other restraint Incertainly or impfecti^on whatsoever to y^e contrary in any wise notwithstanding, Although express mention of y^e true yearly vallue or certainty of y^e premisses or of any of them, or of any other gifts or grants by Us or any of o^r progenito^rs heretofore made to y^e s^d James Duke of Yorke in these p^rsents is not made, or any Statute act ordinance provision proclamati^on or restricti^on heretofore had made enacted or provided or any other matter cause or thing whatsoever to y^e contrary therof in any wise notwithstanding. In Testimony wherof we have caused these o^r Letters to be made Pattents wittness o^r selfe at Westminster y^e 29th day of June in y^e 26th year of o^r Reigne

Pigott

A true Coppy Examined by me
Matthias Nichols Secr^r.

NOVA SCOTIA.

Extract from severall pieces relating to the title to Nova Scotia.

That Mons^r de la Tour first discovered that country near 60 yeares agoe and built for his owne habitation the place called St Johns Fort upon ye River of St Johns.

Mon^s de la Tour coming into Scotland engaged Sir William Alexander then Secretary of State to King James to support his right in it and for that end to take part of ye interest and in order thereto Sir William Alexander obtained a grant

of it from K. James — 1621. This Grant was by K. Ch. I. conferred on Sir William Alexander (now Earle of Sterlin) 1625

In the yeare 1630. ye Earl Sterlin for Consideraçons Conveyes part of Nova Scotia to M^r de la Tour wth right of a Marquesat &c., and this was confirmed under ye Great Seale of Scotland

In ye yeare 1632 ye Earle of Sterlin at ye Kings persuation did (inter alia) surrender into the hands of the French by virtue of y^e treaty of that yeare Fort Royal which was not Contained in his grant to la Tour for which surrender ye K. gave the Earle a Privy seale for 10.000^l issueable out of ye revenue of Scotland which sūme was never paid ye Earle, And hense arrises ye pretencoñs of ye Earles widdow married to Coll. Blount and of ye Earles heires (Daughters and Sons) In ye Earles right came in S^r Lewis Kirke M^r Francis Barkley &c who bestowed vast sūmes in planting that Country upon Contract wth ye Earle, and who having upon the same Treaty surrendered their interest to the French for 60,000^l sterling which was never satisfied by the French Kirke and Barkley thinke they have an equitable pretention in this matter. After the yeare 1632 ye French that were in possession of Fort Royal make warre upon La Tour at St Johns Fort whereby La Tour was constrained to goe to New England for succour for obtaining of which he mortgaged his Fort of St Johns to M^r Gibbons, but when La Tour returned to Nova Scotia he findes ye French under one Dobry had seized his Fort St Johns and comitted severall other outrages, of this he complaines to the King of France who disownes the action and gives La Tour a power to seize Dobry wherever he findes him in order to satisfaction.

La Tour returning to Nova Scotia findes Dobry dead and marrying his widdow enters into possession of Port Royal which he now holds by that right.

Att the length viz 1655 Sedgewicke haveing a designe of attempting Something in America, upon ye Duch Manadons, and the peace wth Holland having diverted him ; turns without order his force upon ye French in Nova Scotia, seizes la Tours Fortes and brings himselfe prisoner to Cromwell, but Cromwell thought fitt to restore that Country to La Tour and with him (upon Articles agreed between them) to Tho^s Temple & William Crowne by a deed in August 1656 and soe it remained when ye King returned — It may be doubted

{ In which Prince ye Right of Souveraignety and ye propriety is, ye King of England, or ye French King.

2. If in his Ma^{ty} and his subj^{ts} then
 { whether in Temple, & Crowne &^c, by Cromwells grant or what pretencoñs are to be allowed

{ Kirke } for their 60,000^l &^c
 { Barkley }
 { 2 Gibbons for his mortgage
 { 3 Ea Sterlins heires &^c for their 10,000^l &^c.

NOVA SCOTIA

A quære whether it belong to ye French King or his ma^{ty} ; and In what hands it hath been since the first discovery thereof by Mon^{sr} de la Tour, in 1605.

An Account of Nova Scotia

Nova Scotia or Arcadia (as the French call it) was discovered by the English unto ye river Canada in the reign of Henry the seventh further discovered in 1535 : in Q Elizabeths Reigne see — Hackluyts 3 volume & Purchas his pilgramage eighth Booke

In 1627 & 1628 there happened a war between France & England Sir Lewis Kirke John Kirke and partners and Sir

William Alexander sent severall ships thither and surprised ye French ships sent with provisions to strengthen it and after wardes, Port Royall Fort Quebec Cape Breton and severall other places.

Afterwards viz On 24th April 1629 acts of hostility were to cease, and all taken two months after that to be restored to ye great damage of Kirke &^c March ye 29th 1632 By an article of agreement Arcadia Canada Port Royal Fort Quebec and Cape Breton was to be delivered to ye French the French King to pay 4436^l to Sir Lewis Kirke by Du Cape a Frenchman who was protected by ye French King that he could not be compelled by Courts of Justice to pay ye same. The king our Souveraign did not intend to quit ye title but ye 11th May 1633 on consideration of 50,000^l charges ye Kirkes had been at in Surprising Quebec and other places on ye River of Canada which before were under ye French King and in regard of the obedience of Kirke in compliance with ye treaty did by patent of ye 11th May 1633 grant unto Lewis Kirke ye sole trade into the s^d river Gulf lakes and adjacent islands and continents on both sides ye s^d river for 31 years. In February 1633 Kirke set out a ship called ye Mary Fortune bound to ye river Canada (there being peace between England and France, where shee traded a month and the Bon-contempt vicee admiral over powering her brought her to Diepe where shee and her lading were confiscated being worth 12000^l).

The complaint for this Ship & ye 4436 being continued no redress was granted.

In 1654 Cromwell in hostility with ye French Armed out a fleet which seized on Port Royal Fort St John Pentagout &^c

Nov^r ye 3^d 1655 the French waived their claim as to the present Restitution of those places but referred the decision of that and other differencies to Arbitration.

1. Acadia lyes between 42 & 45 of North latitude including the great rivers of Canada which contains ye gulf of St

Laurence which at ye Entrance is 22 leagues broad and extends itself 800 miles west and by South into many great lakes lying on ye backside of the English plantations it may therefore concern his Ma^{ty} to keepe ye place demanded by ye French Ambassadors and to plant colonies up and down Canada and Nova Scotia

2. It is fertile in corne & pasturage

3. It is stored with comodities supplied by ye sound as, pitch, tarre, hempe, masts, timber fures, which single trade bring great revenue to England and other advantages besides copper and other mines.

4. The reducement of it under his majesties Dominions will divide America with ye Spaniard and unite all our plantations, between which ye French do now interpose and if not timely prevented will give them an advantage to destroy ye trade of seale, whale, cod & morse fishing which though plentiful is ye least thing considerable and by degrees make them able to infest our said plantations and disturb our navigation in those seas and perchance Arme ye Indians against us.

An account of Nova Scotia etc

Memorial of the French Ambassadors about the restitution of part of Acade to Mon le Borgne.

Read in Council 27th Novr. 1661

In the year 1628 the French king granted the province of L'accadie to the company of New France, forbidding in the said grant all persons of what quality soever to trafficque with the savages by way of Trucke for Skins, which is all the product and commerce of that Country

In 1657 the Company of New France nominated unto the King Sieur L'Borgne to be Governor of the said province, whereupon the King gave him a commission to comand there in that quality and renewed his prohibitions concerning the trafficque & trucke aforementioned

Contrary whereunto in August 1661 an English Barque

of 15 or 16 tunns was met with in the Port of La Heue (which is in the midst of the said province) laden with 200 beaver and 60 other skins, gotten by Trucking and with other commodities intended for the continuance of that trafficque, In this condition the vessel was taken by the said Sieur Le Borgne his son (the Kings Lieutnant in his fathers absence) and thence brought into France; where the Court of Admiralty desiring to proceed against seven of the ships Company according to the extremity of the laws, and to that end having imprisoned them, the Said Sieur Le Borgne consented to their enlargement whereupon they were set at liberty. The said Sieur le Borgne being now in London by order from the king in the French Ambassadors family to wait an issue of his solicitations with the King of Gt Britain, for restitution of a part of L'Accadie usurped by the English under an illegall Government and upon pretent of a surepetitious grant from Ol. Cromwell against all right Sieur Bataille, secretary of the French Embassy doth in the Ambassadors absence desire that seeing the justification of the said prize depends upon that regulation which is expected concerning the said Restitution, the King of Gt Britain would be pleased in the mean time to suspend and surcease all orders that may be required against the said Sieur Le Borgne by the owners of the foresaid Barque, forasmuch also as he offers to give security not only to the value of the said prize but of all the others taken by the French from the English as offenders against the foresaid prohibitions, In case the said restitucon be not adjudged to be made provided that at the same time those that shall appeare as parties do offer and do the like for the prizes which will be proved to have been unduly taken from him and the French in the said province by any of his ma^y of Gt Britain his subjects

London December 3

new style 1661

French Ambassador Concerning L'Accadie

*State of the Colony of Kenebeck from the Comission^{er} of
New England*

1665.

On the North East side of Kenebeck River (which is the bounds of the Province of Mayn) upon Shipscot River; & upon Pemaquid, eight or ten miles asunder, are three small Plantations belonging to his Royall Highness; the biggest of which hath not above thirty houses in it & those very meane ones too & spread over eight miles of ground at least These People for the most part are ffishermen, and never had any Government amongst them, most of them are such as have fled hither from other places to avoid Justice; Some heere are of opinion, That as many men may share in a woman, as they do in a Boat, And some have done so.

The Comiss^{rs} for necessity sake have apointed the best whom they could finde in each place, to be a justice of Peace & have ordered three of those Justices of the Peace in the Province of Mayn who live next to them to joyn with them in holding of Sessions till further order be taken.

In these parts are the best white Oakes for Ship Timber. All the Lands granted to his Royall Highness in these Northern parts of New England except these three Plantations, are also granted to Sir Tho: Temple in y^e Patent of Nova Scotia.

Report of George Cartwright one of the King's Commissioners respecting the New England Colonies, and place it before the "State of the Colony of Kenebec."

My Lord.

As in duty bound, I humbly present to your Lordships view this brief relation of the actings of the Commissioners in New England & of each Colony by it selfe. The papers by w^{ch} all this & much more might have been demonstrated were lost in obeying his majesties commands, by

keeping company with Cap: Pierce who was ladened with masts. For otherwise in probability we might have been in England tenne dayes before we mett the Dutch Capn, who (after we had defended our selves two howers) took flight, & landed in Spayn.

Your Lordships
most humble servant
Geo: Cartwright

For the R^t Honb^{ls}
The Lord Arlington
Principall Secretary of State.

Orders &c of the Commissioners June 23. 1665.

By the Kings Comissione^rs for Setling the
affaires In New England.

Wee having seene the seuerall Charters granted to S^r fferdinando Gorges & to the corporation of the Massachusets bay, & having receaved Seuerall petitions from the Inhabitants of the Province of Maine, which is layd claime vnto both by the heires of the said S^r fferdinando Gorges, & the said Corporation; In which petitions they desire to be taken into his Majesties imediate protection, & government, having considered that it would be of Ill consequence, if the Inhabitants of this Province should be seduced by those of the Massachusets bay, who haue already by Sound of Trumpet denyed to submitt themselves to his Majesties authority, which by Comission vnder his great Seale of England he hath been pleased to entrust us with, looking vpon themselves as the Supream Power in these parts, contrary to their alleagiances & derogatory to

his Majesties Soueraignty, & being desirous that the Inhabitants of this Province may be at peace among themselves, & free from the contests of others, & the Inconveniencies which thence must neceassrily ensue, to the end they may be so; wee by the power given us by his sacred Majesty vnder the great seale of England, doe by these presents receive all his Majesties good subjects living within the Province of Maine, into his Majesties more Immediate protection & Gouvernment, And by the same power & to the end this province may be well Gouverned, wee doe hereby nominate & constitute, m^r Fran : Champernoone, & m^r Robert Cutt of Kittery, m^r Edward Johnson, & m^r Edward Rishworth of yorke m^r Samuell Whelewright of Wells, m^r ffran : Hooke, & m^r William Phillips of Sacoe; m^r George Munjoy of Casco, m^r Henry Jocelyn of bla : point m^r Robert Jordan of Richmond Island, & m^r John Wincoll Newgewanacke, Justices of the peace.

And wee desire, and in his Majesties name require them & euery of them to execute the office of a Justice of peace within the Province of Maine, And wee heereby Authorize & Impoure m^r Henry Josslin, & m^r Edward Rishworth Recorder or either of them, to administer the oath vnderwritten, (which themselves haue taken before us to all the forenamed Gentlemen, who haue not taken it, before they shall act as Justices of y^e peace :/

And wee hereby give power & authority to any three, or more of the aboue named Justices of the peace, to meete at Convenient times & places, as heretofore other magistrates haue mett, or as they shall see most convenient & there to heare & determine all causes both civil & criminall, to order all the affaires of this said Province, for the peace, safety & defence thereof, proceeding in all cases according to the lawes of England, as neare as may be & thus to doe vntill his Majesty will please to Appoint another government.

And In his Majesties name wee require & comãd all the Inhabitants of this province to yield obedience to the said Justices, acting according to the law of England as neare as may be.

And In his Majesties name wee forbid as well the Comissioners of m^r Gorges, as the Corporation of the Massachusetts bay, to molest any of the Inhabitants of this Province wth their pretences, or to execute any Authority within this Province vntill his Majesties pleasure be further knowne, by virtue of their p^rtended rights.

Given vnder ou^r hands & seals at Yorke within the said Province the 23^d Day of June in the seventeenth yeare of the Reigne of our Soverraigne Lord Charles the 2nd by the grace of God King of England Scotland France & Ireland in the yeare of our Lord God 1665

Wee also desire all who lay claime to any land in this Province by Paten^{ts} to haue them forth comeing by this time twelve month.//

Rob^t Carr
George Cartwright
Samuell Mauericke

You shall sweare, that as Justice of the peace in the Province of Mayne, yow shall do æquall right to the poore & rich : after the Lawes & Customes of England, according to your Cunning, witt & power, & you shall not be of any quarrell hanging before you, you shall not let for gyft or other cause but well & truly you shall doe your office of Justice of the peace, So help you God &c

Rob^t Carr
George Cartwright
Samuell Mauericke

A true Copy of this comission & oath aboue written transcribed out of the originall & therewith Compared this 4th day of June : 1665

p Edw. Rishworth Re : cor :

That this is A true Copie compared wth the originall Copie
 so signed by y^e said Edward Rishworth Recorder Attest
 Edward Rawson Secret

Warrant.

Capt Champ^rnoone & m^r Jocelin warr^t to Inhabit of York
 21. June 1665

Thease are in the Kinges Name & by Authority from him
 to fferdinando Gorge Esq^r to will & requirure yⁿ to Sumons
 all the Inhabitants of your Towne to app^r by too of the
 clocke to morow in y^e Afternone before Right honourable S^r
 Robert Car Knight Coronell George Cartwrit and Samuell
 Maurick Esq^r to hear the publication of A Comision from
 ou^r S^urin Lorde the Kinge Intrusted to them for y^e Regula-
 tion of all y^e afaires in New England as yⁿ will Answa^r y^e
 Contempt hearof at your perrell & this is thayer Ordar
 giuen vndar hand this 21th of June 1665

ffran : Chomparnone

Henry Joreslin

Comision^r/:

To Henry Saiward
 Constable of Yorke
 Alice Gorgiana or his
 Debputy

To his much Respected
 frind M^r Thomas Danford
 theas present

Commissioners for settling of the Eastern parts.

The Deputyes haue nominated & doe hereby desire that
 o^r Honord magis^{ts} M^r Thomas Danforth majo^r Eliazur Lusher
 & majo^r Gen^{ll} Leverett may be empowred by Co^mission
 according to former vote for settling of the easterne pts
 Craueing the Concurrence of o^r Honord magis^{ts} herein
 3^d: 6: 1665 William Torrey cleric.

The magistrates consent herevnto provided that the words
 [according to former vote.] be left out & doeth order that a
 full & Ample Co^mission for the ends aforesaid be forthwith
 drawne// their brethren the Deputyes hereto Consenting
 4 August. 1665 Edw. Rawson Secret

Consented to by the Dep^{ts}
 William Torrey Cleric.

Mittimus

John Parkur his Mag^{ts} Goiell att Yorke

Wee haue hearwitall sent yo^w Peter Weare whom in his
 May^{ts} name wee doe command yoⁿ safly to kep in you^r
 Custedy & safly Indurans vntell thens he be Deliuered by
 y^e lawfull Athorrrity settelled in this prouince wharof faille
 yoⁿ not att you^r peff giuen vndur our hands Aprell: 17, 1667

Edward Rushworth
 Francis Champurnone

A Coppy of my Cum^t

*Letter from Nic: Shapleigh*Kittrey the 14th of Maii 1667.

Honoured in the Lord

Whereas I haue Receiued a pattent from the hands of Collonell Richard Nicolls appertaineing to the heires of Cap^t Jn^o Mason Deceased with what therein is Contayned Authenticated vnder the hand and Seale of ffrederick Ixen Sole Notary and Tabellion publick to & for o^r King and although power of Gouernment be therein granted yet will not presume to meddle therewith, but onely in point of right to the Lands therein Mençoned w^{ch} I thought meete to acquaint you with as I haue the Neighbouring Townes within the Limmitts of the s^d pattent and should haue Signified the Same vnto this Court erre this time had there beene such an oppertunity as now, not doubting but you will doe right herein as formerly to others in like Case that the Lands may not be disposed of at the will and pleasure of others without the probaçon of the proprietor or his agents w^{ch} pattent and power sent mee was shewen to Cap^t Walden and shalbee Exhibited to the view of any person or persons that you shall appoint to perruse the same a Coppie of w^{ch} pattent is now Extant in the hands of yo^r Secrettary w^{ch} I hope may Suffice yoⁿ for present all w^{ch} desire you will asept of in loue though in plainenesse and Retourne in answer that w^{ch} in yo^r wisdom shall Judge Requisite to

Yo^r neighbour & ffriend

Nic: Shapleigh

Deed, Richard Vines to Thomas Withers.

THIS DEED MADE The Twenty day of March 1644 Betweene Richard Vines Stuard Generall for S^r fferdinando Gorges in the Provynee of Mayne on the one party And

Thomas Withers of Piscat on the other party WITNESSETH
 Know ye therefore that I Richard Vines stuard generall
 afores^d Have bargayned and sold unto Thomas Withers for
 and in consideration of tenne pounds starling all ready paid
 unto me Richard Vines by the said Thomas Withers and
 other good consideracōns me hereunto especially moveing a
 certayne Tract of Vpland and meadow contayneing Six
 hundred acres lyeing and being att the head of Spruce Crick
 att the Marsh where the said Thomas Withers have formerly
 beene possest of by m^r Thomas Gorges and made use of
 bounded with two other Cricks one on the Easter side and
 the other on the Wester side untill the said Six hundred
 acres bee accomplished with all the tymber and priviledges
 which belongeth thereunto for the onely use of hee the said
 Thomas Withers his Heires Exec^rs adms and Assignes for
 ever YEELDING and paying yearly unto S^r fferdinando
 Gorges or his Assignes five groats a yeare if demanded on
 the Twenty Nineth day of September And furthermore I
 the said Richard Vines stuard generall for S^r fferdinando
 Gorges doe ratify and confirme all the said p^rmisses unto
 the onely use and bchoofe of he the said Thomas Withers
 his Heires and Assignes for ever IN WITNESS whereof I have
 hereunto sett my hand and seale the day and yeare above
 written.

Rich Vines

(his seal)

Sealed signed and delivered

in the p^rsence of us

William Waldron

the mark of

Alexander Jones

Vera Copia of this Instrument above written
 entred in the Records of the Provynce of
 Mayne this 7th June 1666

p Edw Rishworth Re : Cor:

Was some scruple seemeth (amongst some to arise) about the validity of this Grant wthin written made by m^r Richard Vines unto Thomas Withers upon what former experience we have had of M^r Vines his hand and his usuall manner of makeing Grants doe conceive and adjudge this Instrument within written to be a good sufficient grant signed and given by M^r Richd Vines unto Thomas Withers. Witnessed by o^r hands June 1667

This Deede I doe approve of to be the Act and Deede of M^r R^d Vines Witnes my hand

July 13th 1667

Henry Jocelyn

Edward Johnson

Deposition

The Deposiçon of Alexander Jones Saith that this Deede of M^r Richard Vines that he made to Thomas Withers for his land in the Spruce Crick that William Waldron and this Depon^t were Witnesses unto was made att M^{rs} Linns where she now dwells and that the bounds on the Easter side of the Crick did begin at the Easter Crick att a nec of land called Pine point and soe on the Wester side of the crick it beginneth at the Wester crick that goeth in West at Eagle point marsh and soe upp along the Crick as the Deede doth expresse and sworne by the s^d Jones before us.

Att a Court held at York

Henry Jocelyn Justice Peace

8^{br} y^e 4th 1667

Edward Johnson Comission^r

Letter to Capt Waldron. April 24. 1668.

Cap^t Waldorin : aftar ou^r Respects presentd yoⁿ acquaint-
ing yoⁿ that ou^r Earnest request & Dasiar are that with as
much sped may be yoⁿ ould deliuer this Inclosed lettar vnto
ou^r good frend M^r Thomas Danford wharin att present wee
are so much constr^d in the Istatt & Condision of ou^r Naibouer,
Peter Weare which now Remaine A prisinar Cumited by
this prent Athorrity beinge by sum means discouered to
haue A lettar fownd about him.) neare to the same form to
that lettar Inclosed hearin & what his suffarings may be
haue caues to feare may be gratt if not sum spedy relef
Doth Apeare hopinge yoⁿ will not be vnmindful of vs which
wee haue caues to feare that grat Trubbelles are hastening
vpon vs if y^e Lord danie vs of his helping hand y^e lettar
aboue mentioned seauerall Inhabitans hands assined tharunto
farthur yeearnastly requestinge yoⁿ when Our Cease is in Agi-
tation in y^e Jennarall Court att Boston yoⁿ ould pleas to
farthur y^e taking of vs vndur you^r Athorrity & wee shall be
Innegaged to

Yorke : 24 of Aprell

68

Aathur Bragdon

June

Remaine you^{rs} in all

Due Respects

Peter Weare

Tho Moulton

Henry Sayword

Nathanell Masterson

Theas ffor Cap^t Richerd

Walderin dđ

Hearin is Inclosed y^e warant
by which Peter Waer wase
aprahended : & also his
Cumitment to prizon

Warrant.

To the marshall of y^e prouince of Maine or his Debuty/

In y^e name of his Mag^{ts} & vnder his Immediat Athorrity
yoⁿ are Commanded forth with to aprehend y^e Bodyes of
Peter Weare & Cap^t Francis Raines & them safely to saquare
with all shuch papares & wrightings as yoⁿ shall find about
them & take them into your present Custedy & bring them
before vs to answer to thayr vement suspision of priuie
Saddision Indeuering to vndarmine y^e Kinges Immediat
Athurrity heare setteled whethar by petition or anny othar
vnderfect meanes Contrary to the lawe of his Mag^t heare
established Wherrof faile yoⁿ not to make a tru returne att
your perell giuen vnder my hand this 15 of Aprell 1668

yoⁿ are to requiar suffisient
aid for y^r exsiquition of this

Edward Rushworth
Francis Champarnone

warrant/

/ A copy of y^e warant

/ I was aprehended by

Letter to Capt. Waldron, April 24. 1668.

Cap^t Waldarin Atar my respects pest^d to yoⁿ theas
are to acquaint yoⁿ that att this present I am Constrained to
make bowld to request yoⁿ to dooe me what kindnes yoⁿ
Can to proquar my fredon as I now remaine A prizonar:
The matar which I wase Committed for being A lettat which
y^e Marshall & Cap^t John Davis vsed me verry vnseuell &
tocke a way from me w^{ch} lettat was assined w^{ch} seuerall of
y^e Inhabitans hands manifesting ou^r great dassiar to be tacken
vnder y^e gouernment of y^e Messatuties w^{ch} sum resones
expressed tharin by a lettat framed to y^e hon^d & ou^r well

beloued frind Mr Thomas Danford whom wee did desiar tharin to aequaint y^e s^d Court with ou^r Dasiars hauing since that lettar wase taken from me sum of y^e Inhabitanc hath preualed wth me to drawe vp anothar lettar wth y^e substans of y^e farst which hath bin performed & now wee haue sent it to yo^u which I request yo^w to dailuer vnto y^e Ho^d Mr Thomas Danford as also a petision in brif w^{ch} I should haue more fully Amplified had time & place bin farthar presented, & hauinge nott anny Meanes att present to yo^w for y^e fre passag of y^e petision Intreating yo^w to disburst & shall thiinke my self much Inneaged to yo^u & shall sattisfy to you^r Content.

Wee should haue had mainy more hands to y^e lettar but are Constrained to haston away as also much more I had to say Consderinge the vnhuman Ingary wase shewed me aftar I wase a prisszar & now I am put vpon y^t wh I haue wrighten to run thorow not so dalibarat as I could haue deiseured.

Dasiuringe if it may be y^e will of y^e Lord it may proue suksasiue to y^e honouer of god & the good A pore peopell. att present I take leaue Remaining you^{rs}

In all du Respects

Peter Weare

Aprill : 24^d

Honored & much Respected friend Mr Danford The Consitheration of our psent Estate: in poynt of Gouverment Wee thought it gouenient to acquaint yo^r worship with our psent State in poynt of goverment: according to our Judgment how it is with us at psent that theure of if y^r worship shall think it meete to Acquaint those we conseve are concerned In it/ As for the Inhabytants of our town. The most part of them with many of the other townes stands well aficted to the gouerment of the masatuses they much

Desire to see y^t authority Exersised ouer them : for it cannot be thought nessesary & conuenient for such a smal people in number and so much unable in their abillities to be Excloued from the Bennefitt & help of those which must be helpfull unto us : the Exsperience whareof wee cannot for gett thow sum of our people haue unaduisedly beene instruments to Depriue of that great beonifitt wee formerly injoyd thereby further consithered of what Euell consequence : we are Exsposed unto : in that such persons which haue beene transgressors under your Authoritye : make these parts a place for their shelter And att p^rsent sum of us haue great sospistion sum of them are Taken into counsell with sum in Athority w^{ch} we haue cause to fere will proue to our great Discoragement : what further euels And growing miscarriages Doe apere : from whence we cannot but Expect sum sad Effects will Hasten upon them if God by his prouidence Doth not timly preuent/ Therefore att p^rsent our humble request is to y^r worship y^t you would be pleased to acquaint the generall court of these our Desires which we hoope will soe much Tend to the honor of god. And the good of the inhabitanee of Yorke that sune Efectuall course may be taken with such which are indeuering to Strengthen them selues by a petishtion soe att p^rsent our Ingaged Respects p^rsented to your worship Desiring we May be Excused for this our bouldnesse take our Leaues : Remaining yours in all Due And unfained respects.

After y^e s^d Weare had bin In y^e Gooill his Kepur of y^e prizzon A Companed him to y^e houes of Cap^t John Daus whare the s^d prisinore^s hores stod whilles he wase Comited & y^e s^d Weare went now to dispose of & also y^e marshall remained of which y^e s^d prisnor dasiared A Coppy of y^e Warrant he wase aprehended by & when Weare y^e s^d prisiner Ceam in to the houes Cap^t John Daus began to quarell wth y^e s^d Weare a prisoner vsing very vnseuel

Words & prbbrowes Langwig Calling him Base knaue & cripell Cur & wth a viulent punch wth his fist threu him viallently vpon y^e ground littell short of y^e fiare.

Letter. — Peter Weare & others to Capt. Waldron

Much

Respected frind Cap^t Waldarin hauing still a continnewed trubell vppon me by this Athorrity prossiquiting thayer Dasine by vsiñg meanes to Doe me Ingury; I which obtained fauouer of my kepar to gooe to my hom to locke vnto my nessesary accetiones in respeeckt of the seson wase this day Dasiares by my Kepar to goo to sum Justisis w^{ch} ware att Mr Rushworths howes my answare wase that if thay plase to com to the Mettinge howes I ould com thare & make my Apearans. being y^e publicke place whare courts ware vssialy kept, my s^d keper daliuered y^e messag, vpon the returne y^e Marshall, with his Aid came to me & commanded me forth with to gooe to y^e s^d Rushworths howes or othawais thay must carry me to Prisson whethar I wase by voyallens hold, many peopell: lockinge tharon & ould forsably resqued me out of thayer hands but I turning a sid Earnestly Intreated that the peopell ould lett me allon in thayr hands dasiaring that they ould take notise of that vnhūmⁿ yousag wase shewed to me & att last casting me into the prisson whar I found nothing but y^e flore to ly vpon that I say Justly insted of any fauiower thay shew nothing but Crewilty; hauinge bin lane this many yeares as also what furthar suffaringes I shall sustaine by them y^e Lord only knowes & now att present my request is wth thoes whoes names ar heare subscribed to yo^w that yo^w ould be plesed to acquaint the Honowred Jennarall Court of theas our Continnewed trubeles & sufferges which are continnewed ouer vs which wee hope will take ou^r sad Condission into

Searrioues Considiration & with as much sped as may be wee may obtaine relif so att present with ou^r Inicaged respeckts presented wee take leaue :

Remaning : You^{rs} in all due respeckts

Rowland R Younges

Peter Weare

Henry Sayword

[Superscribed]

Arthur Bragdon June

To his much Istemed

Eamuell Bragdon

frind Cap^t Richard,

Nicholas ffrost

Waldarin thease,

Dodauah hall

present

Joseph Hamond

In Boston or alce

Tho Moulton

where

Warrant

To the Marshall of y^e Prouince of Maine or his Delbputy

In his Mag^{ts} name you are required to repaiare to John Parker his Mag^{ts} Goili & if Peter Weare whoe is his lawfull prisnar refues to make his parsonall appearans before vs att the howes of Edward Rushworth forthwith vpon his the s^d Weares Deniall tharof yoⁿ are required to see him satfly sacured in the Goili wharof faille yoⁿ not att you^r perell May :
6 : 68

yoⁿ are required to take suffisient aid for the exequation of this warant

Edward Rushworth

ffrancis Champarnone

ffrancis Hocke. Just

A Tru Coppy of y^e Last
warant by which y^e s^d Weare
wase Imprizoned

Petition of Inhabitants of Cape Porpus April 28. 1668.

To the Honore^d Jennarall Courtt Sittinge in Boston in y^e Meiatuties Cullanny in New England/

The humbell petision of y^e Inhabitance of Ceap Porpes in y^e County of Yorke sheare sheweth

That wheras your^r petisinores haueing Liued by the prouidens of god seauerall yeares vnder your Athorrity wharby your pettisinores Injoyed many grat benifttes tharby. But of latte yeares sum which may be Justly suspekted stod not well affected to your Athorrity presented A pettision to y^e Inhabts for y^e managing tharof Manny of vs well know wase by the hand of on w^{ch} gratt part of y^e peopell stod well affected vnto formerly who proued sutabell att that time to carry on that Dasine. Butt not longe after thoes which assined that petision, began to see part of y^e yefects that they had brought vpon them selues & Othares which did not assine y^e pettision by thayer vnaduised Ackt, but in sum putt hopes that according as his May^{ts} Commisinores did acquaint sum of vs that doutles his May^{ts} ould son putt an Issew to y^e Mattar wharby in a uerry short time y^e gouernment ould be settled, words to that purpas: But in Considerⁿ of y^e Lenkth of time past & nothing hath apeareed to you^r petisinores wharby wee are much parswaded that his May^{ts} wase neuer acquainted in what Condiⁿ theas partes ware leaft in, And att present parsauinge sum parsones verry Actiue in y^e managing of an othar pettision fearinge tharby wee may be drue into farthar euellles which wee being a weke peopell are subject tharunto for y^e preuention tharof Ouer Humbell request & dasiueres are to this Honored Court that wee may be taken vnder you^r winge of protexion & gouernment for y^e preventing vs from falling in to dauision A monges our selues which your petisinores haue Caues to feare is hastening vpon vs if god by his prouidens doth not

timly preuent & you^r petisinores shall in bond & dut, pray
for yu/

Cap porpes aprell 28. 1668

his
Gresseng  mounticu
marck

John purinton

Nichls cole

Richard moore

his

Richard — brian

marck

Edmond 
his mark

his

Simon  trote
mark

S: P Stephen Batson
his mark

thomas  wan^r, Thomas Warner,
his mark

his
Samell  Scarlet
mark

his

John  Cole
mark

John Elsin

peter  turbat
his mark

William Renolld sin

William Renolls

John Gooch

Petition of the Town of Wells April 30. 1668.

To the Honoured the generall court Now assembled in
Boston In new england :

The Humble petition of the Towne of Wells In the
County of Yorke Most Humbly sheweth

that was yo^r humble petitionars hauing Liued by the good
prouidence of God seauerell yeares vnder yo^r Authoritye and
gouern^t where by yo^r petitionars Injoyed many great ben-
ifits but now are deprived of those p^ruiledges : by some
amongst vs who haue doubtles : ben ill affected to yo^r gou-
ern^t yo^r Honours may Justly blame yo^r petitionars in re-
uolting & turning from our former obedience but we must
in som measure make known the cause of It : m^r Edw :
Rishworth and some other p^rsented a petition to the Inhabi-
tane of this County : who being well affected with s^d Rish-
worth and confiding much in him was so farr deluded by
him and som other that hee gott seauerell hands to the
petition : which petition was to be vnder his majes^{ts} Imadiet
p^rtecktion but not long after those which assigned that
petition was senceble of their owne euill y^rin & saw part of
y^e sad affects which thay had brought vpō themselues and
others which did not assigne to the s^d petiō his majesties
Comissionars did also acquaint some of vs that doubtles his
Majesty would soone put an Issue to the matter whereby
in a very short time the Gouverment would be settled : but in
consideration of y^e length of time past and nothing hath
appeared to yo^r petitionars whereby we are much perswaded
that his majesty was Neuer acquainted in what Condition
wee in this countye ware left in : and Now at p^rsent some
p^rsons amongst us very actiue in the manigcing of another
petition fearing therby we may be drew into further euills :
for the preuention Thereof our Humble request and desires
are to this Honoured Court that care may be taken vnder

yo^r Tuition and gouern^{mtt}: that so yo^r Honourable care of Justice may be exercised amongst vs as formerly: for the preuenting of us from falling Into disorder & deuissions amongst ourselues which yo^r petitionars haue great cause to feare will vnauoydably com vpon us If God by his prouidence doth not preuent: So crauing pardon for our bold excess yo^r poore petitionars shall in bonds of duty pray for you Where vnto yo^r petitionars haue Set y^r hands this 30th Aprell 1668

Ezekiell Knights

Will Hamonds

ffr Littlefild Se

thomas litlfield

Peter Claiff

Will aishlee

John barret

thomas paty

Joseph Crosse

Jacob Wormwod

Samwell Austin

John Littelfield

John Gooch

John Wells

James Gooch

Jonathan Hamonds

John Clayes

William Hobbs

Willyam Jonson

Ezekiell Knights junio^r

John Trot

frances Littelfield junio^r

Commissioners to settle the Government of Maine.

This Court considering their right by Patent vnto the Government of Yorkshire (by some called the Province of Mayne) which hath been Interrupted of late by the subtilty & vnfaithfulnes of some pe^rsons among them vpon a pretence of an Immediate subjection to his Maj^{ties} authority which hath not yet appeared to us to be duely delegated vnto any but ourselues, and also vnderstanding by the

petitions of sundry of the Inhabitants of that County their Sad condition in point of Government & their earnest desire to returne vnto their due obedience vnto his maj^{ty}'s authority established by our charter:

The Consideration of the premisses hath mooued this Court to authorize Appoint & Impower major Generall Jn^o Leueret & Edward Tyng Esq^{rs} Cap^t Richard Walderne & Cap^t Robert Pike as our Comissioners to repaire to that County and Call a Court there & setle the Government thereof in the same order & vpon the same principles & termes as it is established by lawe in other Counties wth in this Jurisdiction & what expences the said Commissioners shall be at in this seruice for the present it shallbe disbursed by the Country Treasurer, but afterwards as soone as may be reimbursed by that County, in such a way, as the said Comissioners shall order & appoint

The magists haue past this their brethren the deputies hereto Consenting

12 May 1668.

Edw. Rawson Secret

The Deputyes Consent hereto & Desire o^r Honord magistrates would be pleased to nominate meete psons for this service.

William Torrey Cleric.

The magists haue Appointed Thomas Danforth & major Generall Jn^o Leueret Esq^{rs} wth such as their brethren the deputies shall Appoint among themselues: their brethren the deputies hereto Consenting.

Edw. Rawson Secret

The Deputy^s haue nominated Cap^t Rich: Waldren & Cap^t. Rob^t Pike to be the psons to Joyne in this Comi^{ss}^o

William Torrey cleric.

The Magist's on their reasuming of wt is aboue past the magist's haue past the suspension thereof till the next session of this Court their brethren the deputies hereto Consenting.

15th May 1668

Edw : Rawson Secret

The Deputyes Consent not hereto

William Torrey Cleric.

The Deputyes haue nominate & appointed Cap^t Edw : Johnson & Capt. William Davis to Joyne with some of o^r former magists to be Chosen to draw vp Co^missions & Instructions for the gentlemen aboue mentioned, with reference to the Consent of o^r Hon^{ed} magst's hereto

William Torrey cleric.

The magist's Consent not hereto

Edw. Rawson Secret

Falmoth mens aplycatio to y^e massachusetts Comis^{rs} 1668

May it please this Honord Court/

To vnderstand by these Th vpon y^e 14th of Juli (58) itt pleas^d y^e honord Co^missioners of his Majesties Collonie of y^e Massatusetts, to receiue y^e Inhabitants of y^e Townes of ffalmouth & Scarborrow into theire gouerment, and were then pleased to grant vnto y^e aforementioned townes Certaine Articles the first whereof is as followeth./

That in case by an Immediate power from y^e Supremacie of wee are Comanded & after address to y^e Same Supremacie by y^e Massatusetts Authoritie itt be defined as proper to any other Regulations this obligation may be Nuld you protecting vs yntill y^e determination thereof./

Att which time Certaine of vs tooke y^e oath of freemen and Soe wee Continud certaine yeares vnder y^r government to

our great contentment, butt it hath pleased y^e Lord that of Late yeares wee haue had Severall Changes nott without some contentions & distractions, yett nott with standing y^e Seuerall Temptations in these late changes itt hath pleased y^e Lord through mercie to giue vs grace to be mind full of y^e oath wee took (in y^e Name of y^e Ever Liueing god) & y^e Covenant we made with you, Soe y^t wee haue chosen in these latte changes rather passiuely to suffer then willinglie to act further then constraint & necessitie enforced vs: because we could nott vnderstand y^e gouernment was determined by our Soueraing Lord y^e king as proper to any other regulation, who was plasd gratiouli/ not Long since to send to vs in these parts Comanding our submission to M^r Gorges gouernment or else forthwith to shew our reasons butt before we had time of consideration therein itt pleasd his Majesties honord Comissioners to forbid any actings either in M^r Gorges gouernment or y^e Massatusetts, w^{ch} was as we conceiue by reason of som of our Western Neighbours petitioning to them, there were two more petitions brought to our Towne, but wee haueing noe cause to complaine against M^r Gorges or his government We haueing had noe triall of y^e one or the other, Nor against y^e Massatusetts gouernment wee were then vnder wee haueing experimentallie found our souerainge Lord y^e Kings word verified concerning them, That as they haue exceeded others in pietie & sobrietie soe god hath blessed them aboue others; wee did therefore conceiue it our dutie rather to attend vpon our gratiouus Kings Comãd by rendring our reasons of our Non Submission to M^r Gorges gouernment, then to busie our selues in petitioning against them from whom wee never received ought butt good as wee know of, Som of w^{ch} reasons were first our engagments to y^e Massatusetts Authoritie till otherwise determined by his Majestie as proper to any other regulation.

2^{ly} His honourable Comissioners forbiding vs in his Name to Act therein; Since w^{ch} time we haue heard nothing from his Majestie or M^r Gorge as to y^e determination of y^e gouernment, We Likewise Vnderstand that y^e Massatusetts Authoritie haue rendred there reasons of nott resigning y^e gouernment vnto M^r Gorges Comissioners, butt doe nott vnderstand they haue receiued any Answer therein, Soe y^t as wee humbly conceiue y^t according to y^e aforewritten Article you stand still engaged to vs & wee to you according to our severall concernments

The Inhabitants of this towne therefore soe soone as M^r Masterson the Countie Marshall cam this way did freely & willingly obey y^r Co^mmands by him sent to vs nott being any way as we know of Disingaged from y^e Authoritie by any determanative Co^mund from our Soueraing Lord y^e King or willing act of our owne, and did according to y^r Co^mmands call a Town meeting of freemen & Inhabitants of this Town and did giue our votes (for associatts for y^e Countie, for Comissioners for y^e Towns, for Constable, for grand & pettie Jurie men (who are y^e bearers hearof) att w^{ch} Town meeting the freemen & Inhabitants desierd me in their Names to writt to this honord Court according to y^e contents hereof & in their Names to render vnto this honord Court hartie thanks for their reception of vs againe into their gouernment hoping that as wee haue beene soe we shall still continue faithfull vnto y^e same) and doe humbli craue from this honord Court as followeth./

1 A Continuanc & Confirmation of our former Articles.

2 That by reason of y^e paucitie of freemen amongst vs whereby wee are disinabled to carry on the affaires of our Towne, you would be pleas^d to take some Course that som of our young men & others who are fitt for y^e Cuntries service may be made freemen

3 That if possible it might be our Countie Courts may
bee brought nearer to vs wee Liueing soe far distant ther-
from

Thus with our praiera to y^e god of heauen to bless and
direct yow in y^r affaires wee subscrib y^rs to bee Co^manded
according to oath & Article./

Written by y^e desier of y^e ffreemen
& inhabitants of ffalmouth this 3 day
of Juli 1668/

Y^r humble servant to
Co^mand in what I may or can
ffrancis Neale

This fore written Letter was written by y^e desier of y^e
ffreemen & Inhabitants of the Towne of ffalmouth and hath
beene read and owned as y^e act of y^e Towne by vs whose
Names are vnder written townsmen of y^e Town in behalf of
y^e Town as witnes our hands this 4th of Juli 1668

Phineas Rider	}	Townsmen
George Lewis		
Georg Engersoll		
George ffelt		

30 May. 1665. A Letter from the Governour of New England with Affidavits enclosed to Sr William Morice princepall secretary/ Amongst the Papers of Mr Gorges and Mr Hartlib/

Whereas the Generall Court of Mattachusetts in y^e yeare 1652./ appointed us whose names are here undersubscribed to Lay out the Northerne Lyne of our Patent, and now being called to give Testimony of what wee did therein, to this wee say as followeth./

Besydes our returne in the Court Book in page 103. Wee Indented with two Indians well acquainted with Merimack River, and the great Lake to which wee went borne and bredd all their dayes thereupon, the one named Pontanhum, the other Ponbokine, very intelligent as any in all those parts. As wee conceived, wee covenanted, with them to lead us up Merimack River, soe far as the River was Merimack River, when wee come short of the Lake about 60 miles there came two Rivers into one, one from the Westward of the North, and the other from the Northward of the East, the Westerly River to mee as I then thought was bigger than the other. But takeing notice of both these Rivers, and knowing wee must make use of butt one.

I called the Indians to inform us which was Merimack river, their answer was, the river which was next unto us, that came from the Easterly point, Which River wee followed into the Lake this 17^o May. 1665. Witnesse our hands.

Symon Willard. Ed : Johnson.

Attested on Oath before the Governor and Magistrates assembled in Generall Court.

As attests Thomas Danforth p Order.

This is a true Copy compared with the Originall, left on File as attests

Edward Rawson Secretary.

At a Generall Court held at Boston in New England
18: October. 1654.

M^r Jonas Clarke and M^r Samuell Andrewes both well skilled in the Mathematicks, haveing had the commands of Shippes upon severall Voyages, being appointed to take an observation of the Northerly Bounds of our Pattent upon the Sea Coasts, made this Returne, as Followeth.

Our observation taken the 13th day of October 1653.

The place of our last observation, the Altitude of the same was according to observation, and our best Judgement 34 Degrees 24 Minutes, the Declination of the Sun according to Calculation in England. 11 degrees. 39. Minutes, the Difference of Longitude betwixt this place and England according to our best Judgement is 63 degrees, which in tyme makes four houres, and one fifth part of an houre, Which adds to our Declination three Minutes and forty seconds, all which altitude declination, and Meridianall difference being added together doth make. 46. degrees. 16. Minutes. 40 Seconds. which being substracted from 90 degrees, gave us to be then in our Latitude of 43. degrees 43. Minutes. 20 Seconds. which was 8 seconds to the Northward of our Latitude given, which wee Measured back againe upon a South Lyne, and there fell in a very plaine place, where were fewe trees. But wee marked 4 or 5 Trees, one of them marked with M. B. and at the Sea syde where the Lyne doth Extend, there Lyeth a Greyish Rock at a high water Marke cleft in the Midle else y^e shoare being Sand without Stones, the Lyne doth runne over the Norther most point of an Island, as wee guesse not above 2 or 3 rodde above high water Marke. The Island is called the upper Clap board Island about a quarter of a mile from the Maine in Casco bay, about 4. or 5. miles to the Northward of M^r Macworths house. Given under our hands

29th October. 1653. Jonas Clarke. Sam : Andrewes

Mr Clarke being absent, Mr Sam : Andrewes upon Oath testifies the truth thereof as followeth :

You sweare by the living God that the returne you made under yo^r hand of the Observation you made on the 13th Octobr, on the Northerly Bounds of our Pattent is true according to the Rules of Art and your Best skill and Judgements.

Taken before the Magistrates in y^e Generall Court
19th October 1654 as attests

Edward Rawson Secretary.

That this is a true copy of the Returne and Oath made thereupon, taken out of y^e Court Book of Record, Attests
Ed. Rawson Secretary.

At a Generall Court held at Boston in New England 19. October. 1652.

Cap^t Symon Willard, and Cap^t Edward Johnson a committee appointed by the last Generall Court to procure Artists to joyne with them to find out the most Northerly part of Merimack River, respecting the Line of our Pattent, having procured Serj^t John Shermun of Water Towne, and Jonathan Ince Student of Harvard Colledge As Artists to goe along with them, made their returne of what they had done and found, viz^t.

John Shermun and Jonathan Ince, on their Oath say that at Aquedahtan the name of the head of Merimack where it issues out of the lake called Wininapuscakit upon the first of August, 1652. wee observed, by observation found, that the Latitude of the place was 43 degrees, 40 Minutes, and 12 Seconds, besides those Minutes which are to be allowed for the three miles more North which runne into the Lake.

In witnesse whereof they have Subscribed their Names
this 19th of October 1652./

Juñ. Corã me Jn^o Endecott Gubernat^r

Jn^o Sherman. Jonathⁿ Ince.

This is a true copy taken out of y^e Court Book of
Records, as Attests

Ed : Rawson Secretary.

Being called by the Generall Court to give an Accot^t of
what My knowledge was concerning the Extent of the
River Merimacke. Haveing oftentimes travailed the Country,
some of the Natives always with mee, which have from
tyme to tyme affirmed that the Lake called Winnapaseokit
issues into the River Merymack, and haveing some Indians
with mee upon the North syde of the said Lake upon a
great Mountaine, did see the said Lake which the Indians
did affirme issues into the aforesaid River, having this Re-
port by them for the space of 27 yeares.

Peter Weare.

Attested on Oath before the Governour and magistrates
in Generall Court 17th May. 1665.

As attests Thomas Danforth by Order.

This is a true copy compared with y^e Originall on File
as attests

Edward Rawson — Secretary —

I Richard Walderne being called by the Generall Court to
give in Evidence of what I know about y^e name of Meri-
mack River, Testify and say, that about 30 yeares since
haveing some Commerce of Trade with the Indians at Pascat-
away, and many others both of Pancatuck and Winipicioket,

did enquire what they called the River at Pemywoke, they said it is Merimack, and enquired why there were other names given upon that River.

The answer was, such names referred to the places of Land where Indians Live upon the River, not the River itself. But the river beareth the name of Merimacks not only in the Branch w^{ch} runneth from Winipicioket but the other Branch which runneth more westerly.

Also likewise about 6 years since being sent for By Passaconaway and severall other Sagamores, where there was a great many Indians at Pemy-Cooke, and being then at the Fort which was by the River syde, and enquiring concerning the name of the River, received the like answer as is above express't. May 17. 1665.

Rich. Walderne.

Attested on Oath before the Governo^r and magistrates in Generall Court 17th May 1665.

As attest Thomas Danforth by order.

This is a true copy compared with the originall Left on File, as attests

Ed: Rawson Secretary.

The Affidavit, Letter, and other five papers adjoynd and fyled together are true Coppyes of the Originall Affidavit, Letter and other five papers, being Examined with the Originall by us.

Symon Robins.

Rich: Walker.

*Correspondence between Major Denison &c: on behalf of
the General Court of Massachusetts/*

Gentlemen,

Wee are sent by y^e Generall Court of y^e Massatusetts To enquier and in their Name Wee doe demand upon what account & by what Authoritie, You haue suñond this present Assemblie att Wells: And exercised Authoritie ouer y^e people of Yorksheere who haue acknowledged themselves subject to the sayd gouernment by there subscriptions & are bound there unto, by there oath./

Daniell Denison/ Will Hathorne/
Wells May y^e 26. 1662./ Richard Walden/

For Mr Henry Joce'yn Major Nicolas Shapleigh & Mr
Robt Jordan/

Vera Copia Francis Neale — Secretarie —

Gentlemen: You haueing informed y^e Mission by the generall Court of y^e Masuthusents to enquier & in their Name to demand According to y^e further expresses in y^e information. Wee say wee are in preparednes To giue y^e Hrdd gen: Court all Ciuilt & Christian Returne when itt shall appeare y^e soe doeing to bee in their Names In y^e meane time Wee are./

Henry Jocelyn Jusquo —
Wells. May y^e 26. 1662./ Nicolas Shapley Com
Apd Curiam/ Robt Jordan — Comissl

To Major Daniell denison Major Will Hathorn
& Capt Richard Walden/
Vera Copia Francis Neale — Secretarie —

To Mr Henry Jocelyn Major Nic : Shapley & Mr
Robt Jordan/

If wee doe nott misunderstand y^e paper you desier satisfaction as to our power & Comission from y^e Gen Court, you may Bee assur'd of our readines in y^t respect if you think meet to follow our example or propound some meet way y^t y^e same may bee Co^mmunicated to all or any of you, wee desierd to haue spared this trouble had our Message by Leeuetennant Daus found acceptance, w^{ch} wee Vnderstand was deliuerd/
Daniell denison/

Wilt Hathorne/ Richard Waldon/

Wels May y^e 26. 1662/

Vera Copia Francis Neale — Secretarie/—

To Major Daniell denison Major Wilt Hathorne
& Cap^t Richard Walden/

Gentlemen

According to y^e Tennor of our first paper Wee desier a sight of y^{re} Co^mmission & y^t you would permitt our Cleark y^e bearer to take a Coppie therof./

Wels May y^e 27 1662./

Vera Copia Francis Neale — Secretarie/—

Translat/ 10 Sept: 1667. Representation of S^r Lewis Kirk & M^r John Kirk concern Accadis./

Representation of S^r Lewis Kirk &c, concerning Accadie/

For what concerneth those 3 Bulwarkes or fortresses in the Parts of L Accadie or Nova Scotia erected, & by the French Ambassador pretended unto, as perteyning to the Territories of the French king in America unto the king's most Excellent Ma^{ty} and his Hon^{ble} Council his humble & devoted subjects S^r Lewis Kirk, and John Kirk Esq^r Brethren in all dutifull observance and obedience, do most humbly represent as followeth/

1 That it is a thing remarkably known that the whole Tract or Space of land in America lying on either side of the River Canada, which a long time since were known by the Names of Nova Francia & Nova Scotia, were at first discovered & found out by the English in the Time of king Henry y^e Seventh king of England, which expedition was first undertaken at the Com^{and} and Charges of that king. Afterwards was furthered & carried on by the favorable aspect of Queen Elizabeth; so that in processe of time for many years together, the said Tract of Ground with absolute priviledge of free Commerce fell under the Jurisdiction and power of the Crown of England. Neither was it unto any other Christian Princes, or their Subjects more clearly known or discovered, untill about the year 1600: Some of the french understanding the benefitt arising by Traffique in the River of S^t Lawrence, having formerly & by force of Arms seiz'd upon that Tract of Land, scituate on the North side of the said flood or River Canad a did afterwards in Año 1604: under the Conduct of Lord of Monts

who in the year 1606 was brought by Mr de Pourtring Court possesse themselves of L Arcadie lying on the South side of the said River naming the whole Nova Francia challenging & vsurping to themselves for many years at least de facto the Possession thereof with Sole Liberty of Commerce there although de Jure as well by reason of the first discovery & a long continued possession thereof by the English, as of a Peace at that time Established between the Crowns of England and France they had no colour or claim thereunto./

2 In anno 1621 king James of England taking notice how unjustly & contrary to the Law of nations that Invasion was made & looking upon the Possession gotten them by the French, as upon an Invasion did by His lres Patents grant unto S^r William Alexander a Scotchman (created afterwards Earl of Sterling by King Charles the first) L Accadie by the name of Nova Scotia who in the yeare 1622, & 1623, after S^r Samuel Argal had driven out Biard & Masse & demolishing their fort carried them Prisoners to Virginia having obteyned the Possession thereof planted a Colony therein, and kept Possession thereof for about 2 yeares afterwards, untill such time as upon the marriage of His Ma^{ty} king Charles the first with the Lady Henrietta Maria, the said L'Accadia or Nova Scotia was by order of the King of England returned into the Possession of the French :

3 Afterwards a Warr ariseing between his Ma^{ty} King Charles the first & Lewis the 13 : Año 1627 : & 1628. S^r David Kirk & his Brethren and Relations of England did by vertue of His Ma^{ty}s Commission send to Sea at their great charge first 3 : afterwards 9 : shipps with Warlike Preparations for recovering of the Possession of the said Lands lying on either side of the said River Canada, & to expell & eject all the French tradeing in those parts wherein they had good Successe, & in Año 1627 : did there Seiz upon

about 18: of the French Shippes wherein were found 135 peeces of Ordnance designed for releife of the Royal Fort in L Accadie & Quebeck in Nova Francia under the Command of Mr de Rockmand & Mons^r de La Tour Father of de la Tour Governo^r of the said Royal Fort whom together with the said Shippes and Gunns they brought into England.

And in the yeare 1628: they possessed themselves of the whole Region of Canada or Nova Francia Scituate on the North side of the River, together with the Fort or Castle of Quebeck, S^r Lewis Kerk being then constituted Governor of the Place, the French being then either expelled or conveyed into England, and the Arms of the King of England being Publickly there erected and every where placed. And before the yeare 1628: it was brought to pass by the said S^r William Alexander (assisted both by the advice and Charge of the said Kirk) that in the Parts of L Accadie or Nova Scotia on the South Side of the River Canada the whole with the Forts thereon built being by him Subdued presently came under the Power of the King of England, that Region on the South Side falling into the Possession of the Said S^r William Alexander, and that on the North Side into the Possession of the Kirks.

4 On the 29th March 1632: a Peace being concluded between his Ma^{ty} King Charles the first and Lewis the 13 it was amongst other things on the part of the King of England agreed That all the Forts as well in L'Accadie as in Nova Francia should be restored into the Possession of the Subjects of the French King which was exactly performed on the part of the English, though to the great damage of the Kirks. but on the part of the French although it was agreed as in the 4: & 5: Articles of Peace is sett down (to which reference is had) yett nothing was ever performed of their parts. So that the Kirks did thereupon suffer Loss to the value of 5000^{li} sterlin which were to be paid them by

Mr de Cane a French man, but remaine unpaid to this day.

5 Anno 1633: the King of England taking notice that although the Forts & Castles according to the League were to be delivered up into the Possession of the French (especially such as had been erected during their Possession thereof) yett that his English subjects were not to be excluded from Trade or free Commerce in those Regions that were first discovered and possessed by his Subjects, did with the Advice of his Councill by His letters Patents dated the 11th May 1633: upon Consideration had of the Expences which the said Kirks had laid out upon the Fort of Quibeck to the value of 50000^{li} and also of their ready obedience in resigning up the same on his Royall Command did graunt unto S^r Lewis Kirk and his Brother John Kirk & his Associates for the Term of 31 yeares (not yet expired) full Priviledg not only of Trade & Commerce in the River Canada & places on either side adjacent but also to Plant Colonies and build Forts & Bulwarks where they should think fitt.

6 By vertue of which Commission S^r Lewis Kirk, and His Brother John Kirk & his Associates in the month of February next following viz: in 1633: Sett forth a Shipp called the Mary Fortune laden with goods of a considerable value consigned to those parts where during her tradeing there without any just offence given & in time of Peace shee was by the French forceably Seized on, & carried into France & her lading as if shee had been lawfull Prize confiscated whereupon the Kirks suffered loss to the value of 12000^{li} and although the Hon^{ble} Lord Scudamore Ambassador in France by the King of Englands special Command, and the said John Kirk being then in person by the King's Command did often earnestly urge that the monys due to the Said Kirks and the said shipp with her Ladeing might be restored, w^{ch} for no other Cause had been seized upon and sold but only for that by the King's Commission Shee

was found tradeing at Canada, yett he could obtain nothing but after some yeares fruitlesse endeavours returned into England without accomplishing his desires

In the yeare 1654: Cromwell although an unjust Vsurper of the Goverment, yett upon Consideration of the P^{res} taking a just occasion for requiring the possession of L Accadie sends forth severall Shippes under the Command of one Sedgwick who by vertue of the authority graunted him by Cromwell Assaulted & subdued the aforesaid Forts in Nova Scotia and restored them into the Possession of the English And although in the yeare 1655 a League of firm peace of Amity being concluded between Cromwell & French King, The French Ambassad^r did often urge the restitution to the Possession of the French, yett for the same causes aforesaid which had moved Cromwell to seize upon them it was thought fitt still to reteyn the Possession of them, And although according to the purport of the 25 Article of the Peace Commissioners on both sides were to be appointed for the desideing & determining that Controversy: yett nothing was done therein. neither did the Commissioners ever meet within 3: months as in the 24th Article of the Treaty was provided and agreed, So that now the Case is very clear, that the Possession to the English remains firm, & Just, and that the Forts and Bulwarkes before specified are without all peradventure under the Power and Jurisdiction of his Ma^{ty} the King of England.

The Truth and certainty of which conclusion in Law and reason, which very clearly and fully ariseth from the Premises wee readily grant & Assent unto, which Notwithstanding from the reason & Considerations following shall be made evident & more Confirmed./

1 To say nothing how the first discovery and Possession of the Regions above mentioned was clearly made & taken by the English Subjects, in regard of the many & divers Vicis-

situdes frequent Spontaneous unconstrained changes & resignation of the Possession thereof, wee insist no further herein then only that from thence wee clearly evince and manifest that there was perpetuum Jus a Constant continued Right at least of the Traffique and Commerce in those Regions invested in the English which no Surrender or resignation for the time being of the said Forts in those parts could any wise infringe or extinguish.

2 In regard the Fortresses and Bulwarks above mentioned in L'Accadie or Nova Scotia after that they had in the year 1628: been taken by the Law of Armes were not in any other sense restored to the Possession of the French in anno 1632: then under the Performance on their Parts of Certain articles or Conditions (for every respective Article in a League or peace hath the force and efficacy of a Condition implied) which Conditions were by them never performed to this day Therefore from the Premisses nothing Seemeth more evident and Consonant both to Law and equity, then that the Surrender or resigna^on thereof made by the English should be null and voyd the Agreem^t dissolved and frustrate & the Forts & Bulwarks be restored & return into their first Estate as if such Resignation or Surrender had never been made./

3 And for this very Reason that Fortress or Bulwark of Quebeck in Nova Francia which still remains in the Possession of the French seemeth that it may be Justly demanded back by the Kirks by greater reason & Stronger Colour & force of Law, then those fortresses Now in the possession of the English in Nova Scotia are Challenged & pretended unto by the French, seeing these did by right of the Law of Arms and after the violation of the Articles of Peace clearly return into the Power and Possession of the English, but that Seemeth to be unjustly detained by the French without all colour of Law seeing they failed in Per-

formance in that, for which the said Surrender or resignation was made by the Kirkes.

4 But whereas they yett remaine not only not Contented with their unjust detayning of the Castle of Quebeck on which the Kirks ought to insist and never to Cease claim till they be fully satisfied of those great Summs of mony which according to the Expresse Articles of the Peace were to be repaid them. But also notwithstanding that liberty & Priviledge of force traffique and Commerce in those parts, acquired & purchased, not only by the first discovery & seizure of those places by the English but also by force & vertue of the King's Ma^{ty} speciall Commission granted and obtained for the Just Causes therein particularly expressed they Seized upon the Shipp Mary Fortune abovementionned withall her Ladeing of goods belonging to the Kirks & exposed the Same to publick Sale. Why then was Cromwell blamed or the French Ambassado^r Complain against him because out of Consideration of the Premisses he had seized upon those Forts & Castles and restored them into the possession of the English, and he although an unjust or wicked invador of anothers Right & Governm^t and So of Necessity it must follow that those aẽcõõns & matters of State which he exercised & managed during his usurped Governm^t could have no efficacy & force from any right of his which was none, yet it hindered not, but that what he could not acquire or accomplish to himself nor yett derive to another (namely Coll Temple might be & was justly and lawfully acquired and gott by his Ma^{ty} who had Lawfull right to the Governm^t; Hence it was that those Forts in Nova Scotia obtained and acquired by Cromwell's Act do with no Less right yeild and Submitt to the Governm^t and Power of His Ma^{ty} the King of England, then either Dunkirk or Jamaica, which single reason doth Strongly oppose, and plainly destroy the Pretentions of the French Ambassador, because the French

King Concluded a Peace with Cromwell & acknowledge the Governm^t invested in him. So that the Ambassador had no cause, to blame Cromwell, for any wrong done because in that mutuall League they did not Stick to attribute to & Acknowledge in him the highest right & power in the Governm^t of England.

And in regard in that Treaty of Peace for the Causes afores^d Cromwell did not think fitt to restore to y^e french the Forts & Castles afores^d w^{ch} chiefly concern y^e Kirks. Therefore seeing there was no other or better reason could be assigned of the Seizing upon & deteyning those Forts then a plain & manifest viola^õn & breach of that League concluded in año 1632: ever since the s^d Forts wth that of Quebeck had been resigned into the possession of the French. And in regard y^e Loss and damage arising by that viola^õn a breach of the peace, doth only concern & fall upon y^e Kirks (the like occasion of Complaint happning to none other of the English nation beside) For these causes & respects they wth great confidence & Submission hope that your Ma^{ty} will please to consider with your self, & according to y^e Equity & merits of y^e Cause to order & determine that those Forts above men^õned (which soever shall seem good to your Ma^{ty} either to retayn them or restore them, to the French or otherwise to grant or dispose of them to any others as your Ma^{ty} shall think fitt) may yet according to y^e law of Equity be liable for & obliged to make good & fully to satisfy all such losses & damages as the Kirks especially above all others of the English nation, have Susteyned & suffered by means of y^e French/

All which Premisses they do most humbly referr and

Submitt to your most Excellent Ma^{ty} & your most hon^{ble}
Councill/

L. Kirke.

J. Kirke.

W^m Turner/

This is a true Translation agreeing wth the
originall being made & taken this tenth
day of Septemb^r 1667. examined/

James Windus.

By vs W^m Fashion/

*The Title of the English to Acadia or Nova Scotia and the
Comodities it yields./*

Title of the English to Nova Scotia./

Nova Scotia or Acadie (as the French call it) was discovered by the English unto y^e River Canada in the Reigne of Henry y^e 7th further discovered in 1535 in Q: Elizabeth Reigne, see Hackluyts 3^d Volume & Purchas his Pilgrimage 8th Booke./

In 1627 and 1628: There hapned a warre betweene France & England, S^r Lewis kirke, John Kirke & Partners, and S W^m Allexander sent severall Shippes thither, and Surprised the French Shippes sent with Provisions to strengthen it & afterwards, Port Royall, Fort Quebec, Cape Breton and severall other places.

Afterwards, viz^t on 24th Apr: 1629 Acts of Hostility were to cease, and all taken two Months after that to be restored to the great damage of Kirke &c.

March, the 29th 1632, By an Article of Agreem^t, Acadia, Canada Port Royall, Fort Quebec and Cape Breton was to be delivered to the French, the French King to pay 4436^l to S^r Lewes Kirke by Du Cape a French man, who was protected by the French King, that he could not be Compelled by Courts of Justice to pay the Same.

The King our Sovereigne did not intend to Quitt y^e title, but y^e 11th May 1633, on consideration of 50000: Charges y^e Kirkes had been at, in Surprising Quebec, and other places on the River of Canada, which before were under the French King, and in regard of the Obedience of Kirke, in Compliance with the Treaty, did by Pattent of 11th May 1633, grant unto Lewis Kirke, the Sole Trade into y^e s^d River, Gulfes Lakes and adjacent Islands & Continents, on both Sides the Said River for 31 years: /

In Febr: 1633, Kirke Set out a Ship called the Mary Fortune bound to the River Canada; (there being peace between England and France) where Shee traded a Month, and y^e Bon Contempt, Vice Admirall overpowring her, brought her to Diepe, where Shee & her Lading were confiscated being worth 12000^l /

The Complaint for this Ship and the 4436^l being Continued no redresse was granted.

In 1654 Cromwell in hostility with the French armed out a Fleet, w^{ch} Seised on Port Royall, Fort S^t John Pentagoet &cⁿ /

Nov^r the 3^d 1655, the French waved their Claime as to the present Restitution of those places, but referred y^e decision of that and other differences to arbitration.

Accadia, lyes betweene, 42^d and 45^d of North Lat: including the great River of Canada w^{ch} Containes the Gulfe of S^t Lawrence w^{ch} at the entrance is 22 Leagues Broad and extends its selfe 800, miles west & by South, into many great Lakes lying on the back side of the English Planta-

tions, it may therefore concerne his Ma^{tie} to keepe the places Demanded by y^e French Ambassadors and to Plant Colonies up & downe Canada and Nova Scotia/

It is fertile in Corne & Pasturage./

It is stored with Comodities supplied by the Sound as Pitch, Tarre, Hempe Masts, Timber, Furres w^{ch} single Trade will bring great Revenue to England and other Advantages besides Copper & other mines.

The reducement of it under his Ma^{ties} Dominions will divide America with the Spaniard and unite all our Plantations Between which the French do now interpose, and if not timely prevent d will give them an Advantage to destroy the Trade of Seale; Whale, Cod, & Morse fishing, w^{ch} though Plentifull, is the least thing Considerable, & by degrees make them able to infest our S^d Plantations & disturbe our Navigations in those Seas, and per.hance Arme the Indians against us./

*For Major Daniell Denison Major Will Hathorn Cap
Richard Walden/*

Gentlemen as wee feared soe wee find our time would bee spun out in fruitless & in-significant papers. To y^e best wee signified to you by y^r owne Messenger our readiness To shew our Comission Though wee are nott convinced of any necessitie to giue Copies Wee haue acquainted you with y^e first part of our Message wherein had you beene pleased to satisfie us, you had spared us y^e deliuerie of y^e second, which though perhaps unacceptable to you, Yett our fidelitie in y^e discharg of our trust doth necessitate us to Lett you understand.

Wee doe therfore in y^e Name & behalfe of y^e Generall Court of y^e Massatusetts Protest against y^e Late actings as Injurious to y^e Authoritie of that Court, Tending to y^e disturbance of y^e peace of y^e Inhabitants of Yorksheere & Contrarie to y^r solemne engagements And doe hereby in his Majesties Name requier you to returne to y^e subjection & obedience To y^e Generall Court of y^e massatusetts according to y^e Articles & subscription att kitterie York Wells & sparwinck & y^t you forthwith quiettlie dissolue this assemblie called by y^r owne Authoritie/

Gentlemen y^r Compliance will bee noe disadvantage in this case wee are perswaded y^e Calmer or more sedat reflections will preuaile you to account us

Y^e frinds & seruants/

Daniell Denison —

Wells. May 27./ 1662./

Will Hathorne —

Richard Walden —

Comissioners of y^e Massathusetts/

Vera Copia

Francis Neale — secretarie —

Gentlemen/

Wee y^e Commissioners of Fardinando Gorges Esq^r Whose Authoritie is deriued from his Majestie doe in his Majesties Name protest against any Arbitrarie proceedings of any pretended Authoritie Whateuer nott immediatlie deriued from his sayd Majestie tending to y^e breach of y^e peace of this Prouince To y^e Justification of which Act Wee declare our selues Legallie oblidged, And doe requier you in his majesties name to abstaine from Unjust molestations of us or y^e good people of this Prouince & in soe doing you will find vs bee

Y^e reall frinds & Loueing Neighbours & seruants —

May y^e 27. 1662./

Vera Copia &c : &c :

Wels this 27th 1662.

Whereas y^e worships desier our Concurrence with y^r selues in Compliance & subjection to that Authoritie w^{ch} you declare you haue From Fardinando Gorges Esq^r/

Our Answer is Considering our present estate y^t as our Subscriptions & oathes haue Ingaged vs to y^e Massatusetts Authoritie wee humblie conceaue itt most Agreeable to right reason & the Cuntries saftie to Equesse under y^e sayd Authoritie untill opportunitie giue a seasonable time of triall to the gentlmen of y^e Massatusetts & y^r Worships of this Cause before his majestie our Supream Judge unto whom our subjection is att all times readie as his pleasuer is pleased to desire itt as appertaining to y^e one or y^e other —
(Richard Nason dissenteth — Wilt Phillips Speacer in y^e
one of ye deputies) behalfe of y^e Deputies —
Vera Copia &c : &c :

*The Warrant of y^e Comissioners of y^e Massatusetts for
y^e calling of a Court att Wells/*

To y^e Inhabitants of y^e Countie of York/

These are in his Majesties Name To Wilt & requier you & euery of you To whom Notice of these presents shall come to appeare before us y^e Coñmissioners of y^e Generall Court of the Massatusetts assembled att y^e house of Francis Littlefeild in Wells. att three of y^e Clock y^e 27th of this instant to receiue such orders & directions as shall then bee Communicated to you from the Geñerall Court./

By y^e Coñmissioners of
y^e generall Court/

Daniell Denison —
Wilt Hathorne —
Richard Walden/

Giuen att Wells

y^e 27 May 1662/

To Nathaniell Masterson Marshall of
y^e Countie of Yorke/

These are to Will & requier you to publish our aboue
written Warrant withoutt delay To as many of y^e Inhabi-
tants of Yorksheire as y^e time will permitt requiring them
to giue theire attendance as is therein expressed

By ye Coñmissioners of
the generall Court/

Daniell Denison —

Will Hathorn —

May 27 1662/

Richard Walden/

Vera Copia Francis Neale — secretarie/

*For M^r Henry Jocelyn — Cap^t Francis Champernoone —
Major Nic: Shapley — M^r Robt Jordan — M^r Tho
Purchas/*

Gentlemen,

Wee bee seech you att Last remember y^e solemne oathes
to y^e Authoritie of y^e Massatusetts immediatelie deriued
from King Charles y^e first, A : do : 1628 by his Charter w^{ch}
his present Majestie our gracious Soueraigne hath beene
pleased to Asseuer vs shall bee Confirmed to us, Wee are
nott a frighted by any Comissions from Fardinando Gorges
esq^r vpon what pretence soeuer resting Confident in his
Majesties Justice & fauor against all pretenders in whose
defenitiue Judgment in this case wee shall acquiess butt till
y^t bee made knowne to y^e generall Court of y^e Massatusetts
you cannott without breach of Faith executt any orders or
Coñmands from any pretender. Gentlemen you haue made to
Large a progress in these disorderlie Actings wherein if you
shall Continue to y^e disturbance of y^e kings peace you will

inforce vs to change our stile you know wee cannott owne
 Mr Gorges Comissioners if you writte Jus quo wee must
 return quo Justly wee may nott playe with you, butt once
 againe advise & requier you to put y^r period to y^r unjust
 violations of y^e right of y^e Massatusets y^r owne faith & y^e
 peace of this People in soe doeing wee shall rest/

Y ^r frinds & seruants	} Comissions of y ^e Massatusetts/
Danielt Denison —	
Wilt Hathorne —	
Richard Walden —	

May y^e 27 1662/

Vera Copia Francis Neale — secretarie—

Resolved by the Trustees of Fardin: Gorges Esq^r and
 Lord Proprietor of this Prouince of Maine by Authoritie
 deriued to him from his Sacred Majestic of blessed memorie
 being now in cession That Wee neither doe nor may by any
 meanes approue Consent to, or pass into an Act; The motion
 & isheue of this presence, as being destructive & auers to
 y^e Libertees of y^e free holders of this prouince & against
 y^e honour properties & rights of our Lord Confirmed unto
 him by supream Authoritie & Condescended unto by the
 Free holders of y^e Prouince, wheras you Conceauue & declare
 y^r Conceptions; as most agreeable to right reason And y^e
 saftie of y^e Cuntrie That wee should AQUIESS wee Answer
 y^t itt is immediatelie Contrarie to y^e Magna Charta of our
 Nation and destructive to y^e whole Law which is y^e right
 reason, whereas you appoint vs to oppertunitie & seasons of
 triall. Wee declare wee are as yett free from any attaints

process or Acts of Law from his majestie or any vnder him to Coñmand vs to any such tryalls butt are by him & his appointed ones to be calld thereunto w^{ch} must bee by vs & all obeyed.

Francis Neale — secretarie —

Wels this 27th 1662./

The house desiereth to know whether you haue any further motions or bills to present unto them as Likewise according to y^e promise a List of y^e deputies Names

Francis Neale — secretarie —

Vera Copia Francis Neale, secretarie/

The Names of y^e Trustees./

- Leeften^t: 1: Wilt Phillips speaker
 2. Mr Georg Municy
 3. Mr Edward Rishworth
 4. Humphry Chadborn
 5. Richard Nayson
 6. Mr Wilt Symonds
 7. John Sanders
 8. Arthur Anger
 9. Christopher Lawson/
 10. Tho: Haynes/

Wels, 27 May (62.) 11. Walter Matthewes/

In relation To what you sent vs Wee haue nothing
 to say Wilt Phillips, Speaker

Vera Copia &c :/

After y^e foregoeing passages vpon Conference with Mr Joccelyn Major Shapley & y^e other Gentlemen which Continued to assert y^e interest of Mr George in y^e Countie of York part of y^e Prouince of Maine itt was mutuallie agreed

That Mr Henry Jocelyn Major Shapley Cap^t Walden & Cap^t Pike should keepe a Court att York one y^e first tuesday in Juli next for heareing and determining all Causes Ciuill & Criminall proper to there Cognizance According to Law & y^t y^e Records bee Transferred to York & deliuerd to Mr Rishworth who shall bee ready safely to returne y^e same att y^e said Court into y^e hands of y^e then elected Recorder

And itt is agreed That y^e Clearkes of y^e Writts shall issue forth all process in y^e Kings Name after this manner. These are in his Majesties Name To will & requier you to appeare &c Alwayes provided this agreement shall nott prejudice y^e right & Interest of any partie Claming Jurisdiction ouer y^e sayd Countie or Prouince/

Danielt Denison, Wilt Hathorne, Rich Walden

May y^e 28. 1662/

Vera Copia &c:/

[*Declaration of Robt. Jordan, Comm^r for Ferd. Gorges.*/]

Att & To a Respectiue assemblie att Acomenticus otherwise undueli stiled York in y^e Prouince of Maine the first Tuesday of Juli 1662/ by Robert Jordan Com^{ss}ioner/

God Saue the king. Charles y^e 2^d king of that name King of England. Scott: France & Ireland & all y^e dominions & Territtories thereunto belonging Supreame Gouernour./

I doe requier. That Cheiflie & aboue all y^t Justice bee first don to y^e Crowne of England, That his sacred Majestie bee nott disinherisoned.

I doe requier that noe manner of Authoritie bee heare exercised butt such as is deriued from y^e Crowne./

I doe requier That noe person or persons under any pretence whateuer execute or Cause to bee executed any Act of Law or pretence of Law withoute a due publication of his or theire Comission thereunto./

I doe requier That in case of any pretentions, or Reall Patents granted by his sacred Majestie to seuerall persons who haue Warrantie, That then y^e Justices desist untill information bee giuen thereof to his Majestie & Aid of him required, if Warrantie appeare: otherwise I requier a proceed and execution of Justice Legallie within this prouince./

I doe requier in y^e behalfe of y^e Parliament of England & euery free denison there of, That noe waigeing of Law in any kind or degree bee permitted withoutt witnesses & pares, That Justice in itt's maner or matter bee nott sold batedr Compounded or agreed; defered or denied one any or Considerations contrarie to y^e Magna Charta/ I doe Requier for y^e Honour of ye most High Lord Chancell of England That noe man bee permitted to Act as a Justice of y^e Assises Nisi prius Goale deliuey or y^e peace butt such who are by him thereunto Comissionated/

I doe requier that noe person or persons be allowed or permitted to Act or Doe Justice; Who is nott Learned in y^e Lawes; who is nott a resident in this prouince of Maine, who has nott taken y^e oath of Supremacie; Who doth nott take y^e oath of y^e Justice of Assises Goale deliuey or y^e peace; Who is or may appeare to bee guiltie of Treason or Chargd with suspition thereof; Who hath Comitted & is guiltie of Jeofaile or faulture of Justice, pretending his Majesties Name butt nott acting his majesties office/

Acted and acknowledged by mee —

Robert Jordan — Commiss^r/

A Coppie of Esq^r Gorges Comission^{rs} order to Francis Neale/

Mem : of a resolution of the Comm^{rs} of F. Gorges/

This 6th of Juli 1662 in y^e fowerteenth yeare of his Majesties Rainge, itt is Resolued y^t Francis Neale secretarie shall draw vp due & true Coppies of all such Acts & Interactions, Haue passed from y^e first day of Esq^r Fardinando Gorges assertion of his right to y^e Prouince of Maine after y^e 8th of August in y^e 12th yeare of his Majesties Rainge to this present & shall have y^e assistance of Mr Robt Jordan in his soe doeing And before they are transmitted to y^e sayd Esq^r Gorges y^e sayd Coppies are to bee submitted & presented To Henrie Jocelyn Esq^r for his approvements & subcription Giuen under our hands die predicto/

Henry Jocelyn, Jus quo

Nicolas Shapley, Comission^r/

Robt Jordan

I Francis Neale this 7th of Julie in prosecution of y^e aboue written Comand, Demanded of Mr Edward Rishworth his assistancie in reference to y^e Records which are in his Custodie./

His Answer was as followeth.

Mr Jocelyn & Major Shapleigh gaue him noe order in relation to any such Concernment Neither hath he receiued order From Cap^t Pik or Capt Walden when they were assembled together in y^e Last Court or presence att York of any such Comand & therfore he is nott willing to deliuer any such Records relateing thereunto./

Juli y^e 7th 1662./ Vera Copia Francis Neal — secretarie/

Lett^r from M^r Godfrey to M^r Povey. 7th Aprill 1663./
For the Right worship^l Thomas Povey thes p^rsent/

Lett^r from M^r Godfrey to M^r Povey ab^t
 a discription of y^e province of Maine

H^o Sir

I haue Formly wrot yo^u A briefe discription of the puince of Mayne how it standeth att p^rsent: know if Columbus offered the discouery of the West India to Henery the 7th yo^u ar att p^rsent offered a tracte of land all reddy discouered & in pt populated wth Inglish: w^{ch} for Futuer & discouery is of more Consarnement then any pt of America as yet setteled one by the Engliss & that yo^u may haue p^rsent p fit wthout 1^d Charges Honor & good to yo^r selues, w^{ch} yo^u & my lord Roberts sone mⁿ Hender Glory to god gave to his Ma^{ty} benyfit to y^r selues & good to the whole Cuntry send but for Gorges to mⁿ Francis lutterells att Grase In & taulke wth him, yo^u will fynd him a man not Capable of such a great busines to bee the undoing of soe many loyall subjects & suffer thos ptes of the w^{ch} tell 1652 had euer liued. According to his ma^{ty} lawes as by the Report yo^u know & ys hand testifieth but now is mad a Recepticle of thos of Heugh Peeter: Vane: Vener: Baker: Potter who to ouoyd ther p^recipies fly theather (con sacre in Saco) for shelter & keep us Loyall subjects out of our Inheritanc after: 30: yeares possetion soe deerly bought now in Great mysery except God rayes Freinds I humblie desyer yo^u to taulke wth my lord Roberts sone mⁿ Hender & that I may know yr resolution though Gorges Grandes haue Plunderd by house in New England & possesed them selues of most of my Collections Records p^rsidents & paps of 55 yeares trauell I haue sufficient heer to Gard a Right Course & settell thos pts as formly to any reasonable man & that wthout 1^d charges but

p^rsent p^r fit to the undertakers I humbly craue two words in
Andſwer & Rest

Yo^r ſaruant to bee Co^mded

Ludgat ad. 7 Aprill 63/

Edward Godfrey

Att the Cloosing hereof nuse
is brought mee that one m^r
Nicolas belonging to the
Duke of Yorke is to goe
frō New England w^{ch} yf
yo^u may Informe him of me.
I haue all passeges of 40
yeares in that Cuntery well
shewe him & yo^u what is
needfu. Ed Godfrey./

A Resumé

*An Abstract, of Orig^l Acc^t w^{ch} is in Latin & French 40 pp.
re the Title of Lands &c: in Nova Scotia &c:*

The opinion of W. W., in pursuance of a Royal Mandate,
upon the question between the K. of France, & Thomas
Temple Esq^r for himself & the King of Eng., as to his in-
terest in the lands & fortresses claimed by the Amb. of the
K. of France./

I

A. Facts.

The representation of the Amb. of the K. of France/

1. Port Royal, Fort S^t Jean & a considerable parcel of New France taken possession of in 1654 by some English private indiv. under color of reprisal./

Matter referred in 1658 to Commissioners — nothing done. — Prays restitution.

II

Representation on the side of K. of Eng./

1. Occupation in 1606 of Nova Scotia by Charles S^t Estienne de La Tour, & foundation of Fort S^t Jean.

2. Claude S^t Etienne de la Tour takes possession of Cape de Sables &c ab. 1606.

3. James I. grants these lands to W^m Alexander in 1621 by name of Nova Scotia.

4. Car. I. confirms grant ab. 1625.

5. Claude & Charles afores^d Naturalized & created Barons & Barons of Nova Scotia/

6. W^m Alexander by Pat. 13 ap. 1630 granted all the territory à Mirliqueth & à la Haue on the E. to Pentagoet on the W., with P^t Royal, Fort S^t Jean, at Pentagoet to Claude & Chas afores^d in fee to be held of the K. of England.

7. Which were so held by them with^t interruption/

8. All these lands & forts in N. Sc. are distant by many hund. leagues from New H. & were never held part of it./

III

On the part of T. T. for the K. of E. & for his own right./

1. Two Port Royals, one in N^o. Sc. one in N. Fr. the former belongs to K. of Eng. latter to K. of Fr./

2. Fort S^t Jean & Pentagoet not mentioned in Treaty bet. Louis 13 & Charles of 1632, which had in view not the res-

titution of the territories of Acadie, Canada, but of all the places occupied in N. Fr. by the English.

3. The Port Royal mentioned in treaty most likely not in N. Sc. but in N. Fr./

4. K. of Fr. never had Port Roy. in N. Sc. nor Ft S^t Jean's nor Pentagoet nor Cap Sables nor Cap Breton in N. Sc, nor any part of it bef. sd treaty of 1632. &c.

5. Hostilities against English in N. Sc. commenced by Donee after treaty — takes possession of Port Roy. in N. Sc. — expels Charles S^t Etienne de la Tour from Ft S. Jean's — who afterwards marries his widow & regains possession of Pt Roy. Fort S^t Jean & Pentagoet.

6. French expelled from N. Sc. in 1654 by Sedgewicke, who takes possession in name of Oliver Cromwell.

7. Treaty between Louis 14 & O. C in 1655, referring question of restitution of forts to Commissioners/

8. No Commissioners named by Louis — forts derelict by desertion./

9. Forts granted in 1656 by O. C. to Charles de la Tour & T. Temple to be held by latter in fee under G^t Britain.

10. Said T. T. then took possession, held, & Now holds these forts./

B

Then follow quotations from legal authorities on both sides with a discussion on the arguments *pro & con.*/

The final opinion being in favor of the right of K. Chas. to the forts./

4th Febr: 1664. Lett^r from Coll. Cartwright.

Col. Geo. Cartwright to Col. Nicolls./

S^r

This day S^r Robert Carre delivered me your letter, for w^{ch} I thank you; and shall, (to the utmost of my power, in order to all my obligations, those of discretion, as well as Loyalty) endeavour to observe all his Majesties instructions: Here we find a great probability of obstruction (of w^{ch} I gaue you information before, but fearing it may have miscarried, shall tell you them again.) It is reported here, y^t we have already cost this country 300^l Major gen^l Leveret (I am told) hath received 34^l for his expences extraordinary in entertaining you; it is reported also y^t we are to demand 12^d for each acre of ground improved, & 3000^l a year besides, y^t we are to infringe the discipline of the church by compelling children to be baptized; & that we interrupt their form of government, by our admitting of appeales; here are also severall whisperings, & laying of wagers, that we shall never sit here as Commissioners; and it is certain, that these people have twice sent letters to my L^d Chancelor since August last. Upon these considerations, I doe think it will be better to beginne at Conecticote, and to despatch the other 3 colonies, before this. For, if we have good successe there, it will be a strong inducement to these to submitt also to his Majesties Commission; and if these should any wayes oppose us, it would be an ill precedent to the other; then the difference betwixt M^r Gorge's patent & this, does seeme by the kings letter so reserved to himselfe; but those that are concerned in it, hope before May to have letters, & orders to referre it to us; & it is probable, y^t by that time, we also may have letters for our further instructions; and this Colony being both the richest, greatest, most populous, & inclinable to a common wealth, we ought to have the greatest circumspection about it. I cannot con-

ceive how it is possible for us to get a good election made for the next generall assembly, seing none can elect, nor be elected, but such as are church-members, and of them, there is never a barrel better herrin. I think, it will be the best therefore for us to take all the best cources we can, & I know none yet besides writing to severall friends, to desire all the country to come in at the next court of Election, w^{ch} will be in the beginning of May, that we may communicate to them what the king hath given us in command; and then to deal with them, as wel as we may. I hope, I shall prevayle with S^r Robert Carre, & M^r Maverick, y^t we may be at Road-island, before the first of March at the furthest. I have seen all the papers, w^{ch} you have sent, but have not perused them yet, & therefore do not understand how we can be both judges, & solileitors in Duke Hamiltons, & M^r Masons cases, but I hope when I have read, & considered y^m that difficulty may be resolved. Here is now a court sitting in Boston; & M^r Winder hath had a great tryall gone against him; he had many substantiall men, & merchants that gave evidence, for him, upon their oathes; the other party had but one wittenesse sworn, yet him selfe being a church member carryed the caus, hard born. I am very glad that M^r Willet intends to goe immediatly to you, (by whom I hope this letter will come safe to your hands) I believe him both a very honest, and an able gentleman; and y^t he will serve you both for a Mayor, & a counselor. I wil onely say, that the fort is not to be kept 2 dayes longer, nor 2 howers, by having the walls raysed higher, in my opinion and therefore a battery upon the point would be of greater advantage, & more considerable then the fort it selfe, if ever the town be fortified, the same materialls will serve in both places. Major general Leveret is making such a work under the fort-hill, & removes great stones of ten tun weight & more. The Dutch expect the English lawes at

their six months end; and it is probable, they will rather take that for oppression, w^{ch} shall be imposed on them afterwards, then for the present, acknowledge your indulgence in letting them, for a while longer, use their own lawes; but your own convenience in this, is the greatest consideration. Here is another vessel goes for England about 14 dayes hence. Against May, I pray you send me order where & how I may receive the remainder of the 250^{li}; I have not gone to dinner with any towns man since I came, suspecting them to be, as I fear they are, yet all such as come to see me, and those are very few, I use as civilly as I canne. The saving of a little expence shall not be an occasion in me of hindring his Majesties service, so much I have considered these peoples temper, with his Majesties caution, That all designes of profit for the present seem unreasonable, & may possibly obstruct the more necessary designe upon their obedience, & loyalty. They have altered the law for freemen, w^{ch} I send you enclosed, I like it not, the reason is so visible, I wil not trouble you with it. But with my hearty wishes for your prosperity & successe there, and for your company, & assistance here, rest

Your most affectionate servant

Cap: Breedons.

Feb: 4. 1664./

George Cartwright.

S^r We have perused the lynes aboue we know all to be truth, we earnestly desire your p^rsence heare if possible by the 20th of Aprill, the day of election beinge the 3^d of May, in the meane tyme we shall doe what we can, by way of p^rparation and desiringe to heare from you by all Con-vay-ances We Remyne

S^r

You^r most assured freinde
and humble seruant

End: 4th Feb: 1664;

Robert Carr.

Lettr from Coll Cartwright

Samuell Maverick.

The King's Comm^{rs} commⁿ for Justices of the Peace in the Province of Maine./

By the Kings Commissioners for settling the affaires of New England.

We haveing seen the severall Charters granted to S^r Ferdinando Gorges and to the Corporation of the Massachusetts bay, & received severall petiçons from the inhabitants of the Province of Mayne, which is layd claime unto but by the heire of the said S^r Ferdinando Gorges, & the said Corporaçon, in which petiçons they desire to be taken into his Ma^{ties} immediate protection, & governm^t And haveing considered, that it would be of ill consequence, if the inhabitants of this province should be seduced by those of the Massachusetts bay, who have already by sound of Trumpet denied to submitt themselves unto his Ma^{ties} authority, which by Comission under his great seale of England, he hath been pleased, to entrust us with; looking upon themselves as the supream power in these parts, contrary to their Allegiance: & derogatory to his Ma^{ties} Sovereignty: And being desirous that the inhabitants of this province may be at peace amongst themselves, & free from the contests of others, & the inconveniencies which thence must necessarily ensw, to the end they may be so: Wee by the power given us by his sacred Ma^{tie} under his great seale of England, do by these presents receive all his Ma^{ties} good subjects, living within the Province of Mayne, into his Ma^{ties} more immediate protection, & Governm^t And by the same power, & to the end this Province may be well governed, wee hereby nominate, & constitute M^r Francis Champernown, & M^r Robert Cutt of Kittery: M^r Edward Johnson, and M^r Edward Rishworth of York; M^r Samuel Wheelwright of Wells, M^r Francis Hooke, & M^r William Phillips of Sacoe, M^r Georg Munjoy of Cascoe, M^r Henry Jocelyn of Blackpoint, M^r Robert Jordan of Richmond Island; and M^r John Wincoll of Newgewanack Justices of the peace; And we desire, & do in his Ma^{ties} name require

them, & every of them to execute the office of a Justice of the peace, within the province of Mayne: And we hereby authorize, & impower Mr Henery Jocelyn, & Mr Edward Rishworth Recorder, or either of them to administer this Oath under written which themselves have taken, before us, to all the fore named Gentlemen who have not taken it: before they shall act as Justices of the peace. And we hereby give power, & authority to any three, or more of the above named Justices of the peace, to meet at convenient times, & places, as heretofore other Magistrates have mett; or as they shall thinke most convenient; & there to heare, & determin all causes both civill, & criminall; and to order all the affaires of the said province, for the peace safety & defence thereof; proceeding in all cases according to the laws of England as near as may be: and thus to doe untill his Ma^{tie} will please to appoint an other governm^t

And in his Ma^{ties} name, we require, & command all the inhabitants of this province to yeild obedience to the said Justices, acting according to the laws of England as neare as may be, And in his Ma^{ties} name we forbid, as well the Commissioners of Mr Gorges, as the Corporation of the Massachusetts bay, to molest any of the inhabitants of this province with their pretences: or to exercise any authority within this province, untill his Ma^{ties} pleasure be further knowne, by virtue of their pretended rights.

Given under our hands, & scales at Yorke within the said Province 23^d day of June, In the seaventeenth year of the reign of our Sovereigne Lord Charles the 2^d by the grace of God King of England, Scotland, France, & Ireland &c: And in the yeare of our Lord God 1665./

Robert Carr	○ Seale
George Cartwright	○ Seale
Samuel Maverick	○ Seale

Wee also desire y^t all who lay claime to any land in this Province by Patent to have them forth coming by this time twelve months.

The Oath.

You shall sweare, that as Justices of the peace in the province of Mayne you shall doe equall right to the poore, & rich, after the Laws, & customs of England, according to your conning, wit, & power: And you shall not be of counsel of any quarrel hanging before you; You shall not let for gift, or other cause, but wel, & truely you shall do your office of Justice of the peace, So help you God &c.

Robert Carr.

George Cartwright.

Samuel Maverick.

End: 23. June, 1665. S^r R. Carr &c:

*(his Ma^{ties} Comm^{rs} for y^e settling
of the affaires of New England)*

*doe by these prsents receive
all his Ma^{ties} good Sub^{ts} of y^e province of*

*Mayne into his Ma^{ties}
more imēdiate protection: & doe therein*

*Constitute 11. Justices
of y^e peace, to act according to y^e lawes of*

*England: & in his
Ma^{ties} name Comānd & require all y^e Inhabitants*

*to yield them
obedience. . . is doe forbid M^r Gorges Com^{rs}*

*& y^e pretences of the
Massacusetts: (who by sound of Trumpet have*

*declar'd ag^t them
his Ma^{ties} Com^{rs}) That all y^t pretend Patents*

*for land in this province doe. put in their claymes
by this time 12. moneth.*

Insert y^e Oath, taken by y^e s^d Justices/

A Copy of the Comission for

*Justices of the Peace in the province
of Maine/*

dated 23^d June 1665/

No. 7.

The King's Comm^{rs} to Sec. Lord Arlington/S^r

After the Court at Boston was ended (of which we sent you an account before) we went to visit the Eastern parts, & first we past a tract of Land laid claime to by M^r Mason, who petitioned his Maj^{ty} about it; his Maj^{ty} referr'd it to S^r Robert Mason, & others, who made their report to the King; all which M^r Mason sent to Colonel Nicolls, whom he made his Attorney: This Province reaches from 3 miles north of Merrimak river to Piscataquay river, & 60 miles into the Country: We find many small Patents in it, & the whole province to be now under the usurpation of the Massachusets, who once set up a bound house 3 larg miles north of Merrimake, & owned it for above 12 yeares, yet since claimes all this, & 60 miles more to the north to be within their patent. Col/. Nicolls being bound to attend de Ruiters attempt against New Yorke, & not being here, we left them as we found them, under the Massachusets government; though they were very earnest, to be taken under his Maj^{ties} government, as will appeare by their petitions, which we have sent herewith. From Piscataquay, Eastward to Sagadahock, & 120 miles into the country is an other province called Yorkshire now by the Massachusets under whose governm^t we found it, formerly called the province of Maine, in the Kings Charter, by which it was granted to S^r Ferdinando Gorges: The inhabitants of this province were much troubled by the contests of the Massachusets, & the Commissioners of M^r Gorges; & being weary of the unjust, & partiall acting of the Massachusets: & fearefull of the proceedings of the other, generally petitioned us to take them into his Ma^{ties} more immediate governm^t which we did do: & appointing some to act as Justices of the peace, & to hold Sessions, wee discharged both the other from exercising any authority untill his Maj^{ties} pleas-

ure be further knowne: This hath already given such satisfaction to the people that they have petitioned his Maj^{ties} that they may for ever be governed by his commands, as will appeare by their petiçon, which also we have sent herewith. And thus we did, being assured that it was the best expedient we could use, both to procure the peace, & quiet of that province, & to end the differences betwixt the two pretending parts for the present, leaving the finall determination to his Maj^{ties} wisdom. In this province are 5 townes Kittery, York, Wells, Scarborough, & Falmouth: They build all by the sea side: Their townes are 5 or 6 miles long at the least; though they have but 30 houses in them, & those very mean ones too. If there be not better governm^t established amongst them, & more care taken of them, that Province will never be either well peopled, or well cultivated. The places beyond Sagadahock were given to his Royall Highness by his Ma^{tie} Yet, as Col. Nicolls desired who could not attend to go himself, wee have appointed some to governe them for the present, as there was great need. Upon 3 rivers, the East of Kenebeck, Shipscot, & Pemaquid there are 3 plantatçons, the greatest hath not above 20 houses, & they are inhabited by the worst of men: They have had hitherto noe governm^t & are made up of such as to avoid paying of debts, & being punished have fled thither: For the most part they are fisher-men, & share in their wives as they do, in their boats. Wee were up within Piscataquay river July the 9th when we received his Ma^{ties} ire of January 28th There being an excellent harbour larg, & safe, and 7, or 8 ships in it, & great store of Masts, we sent warrants to 4 towns upon that river, with an intent to have gotte that harbour fortified by them: but the Massachusetts sent a prohibition to them, & a letter to us, by their Marshall, which put a stop to our indeavours. This place we think deserves fortifieing as much as any place in New-England.

We are tould by some of themselves, that they have ap-

pointed a generall Court to be on August 1st to consider how to mannag their opposition, for that they intend to maintain, the bounds of their patent as far as they have streatch't them : and to suffer none to make warrants or orders within the same but themselves : and to justifie their owne wayes for admitting Church members, & free men, though the King write never so offten to the contrary : some few exceptions they may make as acts of their favour to gain some to their partie, & to serve to delude the King, with a shew of compliyanse : for if writeing will serve the turne (as they suppose it will) they can keep the business in agitation, untill the King and all his Secretaries there : and all his good subjects here, be weary of it.

If nothing of greater consequence make them to let it fall, which they hope may happen : And that, if his M^{tie} do not take some speedy cource, they who have declared their judgm^{ts} against them will be undone ; As also all those who have pétitioned for any redress : And that it is the case of the loyall party here, as not long ago it was in England ; Though they be two for one ; yet they are so over-awed, that they cannot help themselves : That both the readiest, & surest way is, for his Maj^{tie} to take away their Charter, which they have severall ways forfeited, which King Charles 1st was about to do a litle before the Scotch war in 1636, or 1637 : And if his Ma^{tie} will assure the people they shall not be tyed to religious ceremonies, the generallity of them will be well contented : But this without a visible force will not be effected. This advice we have had from them ; & this indeed is our owne opinion. We have heard severall say, though they do wish that the governm^t was otherwise ; yet they had rather suffer as they doe, then take up armes against them : And indeed without this cource, it will be impossible for the King ever to attain those two ends mentioned in our private instructions. If his Ma^{tie} should now let these people rest, having so much declared themselves against his authority over

them; those that are well affected will never dare hereafter to declare themselves, besides all the other ill consequences which must necessarily follow. Those who have declared themselves loyall, are very much threatned, & in great feare; & have earnestly prest us to sollicit his Ma^{tie} for their speedy defence, & safety, that they may not be Afflicted, or ruined for shewing their loyalty: We therefore earnestly desire you to acquaint his Ma^{tie} with their desires in this; as also of haveing their children baptized: & themselves admitted to the Lords supper. If any thing be here wanting, we hope it may be supplied by Col: Cartwrights relation, & subscribe our selves

S^r

Your most humble Servants

RC. GC. SM.

Boston July 26^o: 1665./

End: Sr R. Carr, &c: &c: signifie to yo^r

*Lord^{sh} the dangerous Vsurpations
of y^e Mass: making use of his ma^{ties} authoritie*

*to oppose his ma^{ties} power:
y^t it is y^e Case of the Loyall partie there,*

*as not long since in Engl^d,
who tho they be two for one, yet they are*

*over-awed &c: &c:
A Copy of a Letter sent by the Comm^{rs}, to M^r Sec^{ry}
Benet, wth Col. C — went for England /*

Joseph Mason to Rob^t Mason./Pascataway. 16. July. 1665.

Honoured Cosin/

Mr Robert Mason. S^r be pleased to understand by these y^t some moneths since I writt you a lre by one Captⁿ Harris Commander of a shipp laden for London with Masts, hoping it came safe to yo^r hands, wherein I aduised you of the receipt, of yo^r lre to me by the Kings Commiss^{rs} dated 3^d may 1664 which came not to my hands untill some moneths since of the second coming of the Commiss^{rs} into these parts after their being with Dutch and reducing the Monadoes —

S^r I perceaue by yo^{rs} you haue impoured Gennerall Nicholls for the settling yo^r province graunt. I pray God you may haue good Success in it, but the said Gennerall hath not been in these partes Since his coming into the Country any nearer then Boston but the other Three Commiss^{rs} are now here and haue been in most partes of the Country to understand their greevances and to take them off from the Bays Gouvernem^t but the Gouverno^r of the massachusett's with the rest of their Councill at Boston haue violently opposed their proceedings heer, and will not suffer them to act according to their lawful Commission and order from the Kings Maj^{ty} which hath caused a stop for the present untill it be fully declared to his Maj^{ty} & Councill, To which they look only. One of the said Commission^{rs} is in this shipp returned for England to carry an acco^{tt} therof, yett thus much I lett you understand y^t gennerally the people heer and in the next prouince, called the prouince of Maine are all desirous to be taken off from the Bay Gouvernem^t S^r I shall desire you to make yo^rself knowne to this gentleman, Coff. George Cartright he hath taken greate paines in perusing my papers & relation to yo^r affaires for which you may please to giue him thanks. I haue wayted on them for

seauerall Dayes of their sitting and must not be
 they notwithstanding the Bayes prohibition to us not to ap-
 peare before them or their order, heer hath been a publick
 meeting of the people before the said Commiss^{rs} and by
 their Command to heare the Kings Ire read which was sent
 gennerally to the whole Country, and at y^t time the Com-
 misson^{rs} declared unto them y^t they were out of the Bayes
 Jurisdic^{co}n which was bounded by the Bay themselues many
 yeares since by a Certaine bound marke still extant, and doe
 declare the Easterne part from thence to be the prouince of
 New hampshire, in which wee are included according to yo^r
 Graunt, and withall doe promise speedily to settle the Gou-
 ernem^t thereof —

Joseph Mason.

End: Piscataway 1665.

Joseph Mason. 16 July.

Coppy Letter/

Giving Advice to Mr Rob Mason,

*And expressing the generall Desire
 of the People to be freed from the
 Massachusetts/*

Order of the General Court held at Boston/

At a speciall Generall Court called & held at Boston y^e
 1st of August 1665./

This Court being sencible y^t through y^e wicked practizes
 of many persons whoe doe prophane Gods holy Sabbaths,
 & contemne y^t pub^l worsh of his house, y^e name of God is
 greatly dishonoured, & y^e profession of his people heere
 greatly scandalized, as tending to all prophanes & irreligion,
 as alsoe y^t by reason of y^e late Order of October 20 : 1663.

remitting y^e fines imposed on such to y^e use of y^e seuerall Townes, y^e Lawes made for reclaineing such inormities are become ineffectuall. Doe therefore Order & enact y^t henceforth all fines imposed according to Lawe for prophanaçon of y^e Sabboth contempt or neglect of Gods publicque Worsh reproacheing of y^e Lawes & authoritie here established according to his Mat^{ies} Charter, shalbee to y^e use of y^e seuerall Counties as formerly any thing in y^e aboue said Lawe to y^e contrarie notwithstanding & in case any person or persons soe sentenced doe neeglect or refuse to pay such fine or mullet as shalbee legallie imposed on them or giue securitie in Court to y^e Tresurer for payment y^r of, euery such person or persons soe refusing or neeglecting to submit to y^e Courts sentence, shall for such his contempt bee corporollie punished, according as y^e Court y^t hath Cognizance of y^e case shall determine, & where any are Corporally punished their fines shalbee remitted

By y^e Court Edward Rawson — Secřety.

For the Constable of Kittery
 who is hereby required in
 his Maj^{ty}s name to publish
 this order at a publick
 Toune meeting there
 p Edw : Rawson Secřety/

*End: A copy of an Order of Court gen
 held at Boston Aug. 1^o. 1665.
 to the Constables of Kittery/
 No 6.*

F. Champernowne &c: to the King's Comm^{rs} at Boston/
 Honorab^{le} Si^{rs}//

From what we do understand p Cap^t Richard Thurston,
 the Indefatigable purposes of our Imperious Neighbours of

y^e Massatusetts, are still kindleing the pursuance of y^r own resolved designs, & as we Conceauē; as near as may be the desolueing of his Majestys authority settled amongst us, a way we feare as remote from there own good as our present peace: w^{ch} the rather moueth our now applycation to your Hono^{rs} if oportunity serve for some direction; a lyne or two to o^r selues from yo^r Hono^{rs} would be very acceptable, to y^e people ussfull p preventing p^rhapps of there sudain affrights into disorders/

We are Informed that a generall Court order hath resolved some of our lybertys under restrayt, w^unto we can not be free, unlesse force ouer rule us, that our adversarys should be our Judges/

We hope our duty to God, allegience to his Majesty shall eū Ingage our best Indeaue^{rs} faithfully to Mantaye his Majestys authority amongst us, so long as we are able, as now settled, If might ouer pouer us, We must be content to suffer, till his Majestys pleasure & authority be further understood & better both by o^r Neighbo^{rs} & o^r selues/

Not further to psume at p^rsent to Intrench upon yo^r patience, not forgetting to render yo^r Hono^{rs} many thanks for yo^r care & paynes amongst us soe take leaue to subscribe our selues

Yo^r Hono^{rs} very humble servants,
 Fran: Champernowne.
 Edw: Rishworth.
 Edw: Johnson.

End: To the right Honor^{ble}

Sir Robert Carr K^t

& Samuel, Mauericke Esq^r

his Maj^{ty}s Comm^{rs}

there p^rsent./

At Boston or else where/

A Letter out of the Eastern parts

from Cap^t Champernoone, & M^r Rushworth

&c. a litle before

S^r Robert Carr went thither/

No. 9.

Edw. Rishworth to Sir R. Carr/

S^r

In answer to your Hono^{rs} desire to me by William Ellingham I have this morning sent away the Marshall to give notice unto M^r Joceneyn, M^r Jordan, & the rest of the Gentlemen to the Eastward of the magistrates of the Massachusetts being come to Strawberry bank, and of some of their actings there, with my desire as concerning it, not disagreeable to your hono^{rs} mind, that M^r Joceneyn, & some others of the Officers of this Province should with all possible speed give you a meeting at Yorke, where some sutable intertainment might be provided for the Massachusetts Gentlemen. If I have missed what your Hono^r intended, I am sorry; It was for want of better understanding, my ignorance was the cause of my errour, which I hope in your favourable eye will be the more excusable. I render you many thanks for your dayly care of us, & paines amongst us; whereof I doubt not the continuance, till the issue of these vexatious molestations; of which we shall heare more I hope from your Honour, and as often as occasion serveth. Not further to trouble your Hono^r at present, I take leave to subscribe myselfe

Your humble servant

Edw : Rishworth.

York 6th Octobe^r 1665/

Super scribed, or endorsed

To the right Hons^{ble} S^r Robert Carr K^{nt}
 one of his ma^{ties} co^mmissioners for the
 affaires of New England.//

*End: Yorke. 6. Oct 1665.**M^r E. Rushworth**to S^r R. Carr/*

*Hath advis'd y^e Gentlemen to y^e
 Eastward, y^e y^e Magistrates of the
 Massacusetts are come to Strawbury
 Banke. Hopes y^e continuance of his
 oversight, till these Vexations are
 ouer./*

No. 10./

Sir R. Carr to Danforth &c : Comm^{rs}/

Gentlemen/

Hearing of your beeing at Strawberry-banke, & being informed of your strict cource you intend against those, that have supplicated his Ma^{tie} for their freedom, & liberty ; I could not doe less then in his Ma^{ties} name require you to take notice of this inclosed, which is a true copy of a letter sent to Governour, & Councell of Boston : and in his Ma^{ties} name I do again desire, & require, you would forbear troubling, or molesting such persone, or persons in Strawberry-banke, Dover, or Exiter, as hath petitioned his Maj^{tie} untill his Ma^{ties} gracious pleasure be further knowne, This is all at present but that I am,

Gentlemen

Your Friend & Serv^t

R. C :

Dated at Kittery

10th Octob^r : 1665/

This is a copy of y^e lre S^r Rob^t Carr sent to M^r Danforth, M^r Lusher & M^r Leverat Co^mmissioners of the Massachusets.

End : Kittery, in New-England,

10 Oct. 1665./

S^r Robert Carr writes to y^e Comm^{rs} of the Mass : not to molest those in Strawbury-banke, Dover, & Exeter, that have petition'd his Ma^{ty} for Libertye. sends them a Copie of y^e lre to y^e Governour, & Councill of Boston./

A Copy of S^r R. Carr his letter to M^r Danforth, M^r Lusher, & M^r Leverat/ Octo: 10^o 1665./

Order from the Justices of the Peace of the Pro: of Maine
to the military officers there./

Order from y^e Justices of Maine/

To the military officers of y^e province of Mayn,

In his majestys name, & under his Immediate authority you are required on sight here of to take effectuall Care that y^e Trayned band under yo^r command bee ready In Compleat armes at the first Call of the dru^m: fitted with all necessary p^rvision (if Occasion bee) for military service, to Preserve his Majestys laws & peace here settled, against those who under any Pretence or Colour of p^ouer should attempt to act, or act violence against any of his Majestys subjects by takeing or attempting to take away any of their p^rsons, interests, whither of Record^s or Court Rowles app^rtayning to this Province, And wee do further In his Majestys name streightly Charge & Command you according to yo^r utmost p^ouer & skill, by force of armes to subdue app^rhend or take every & all such Person or Persons who shall thus presume or attempt to do or Act, contrary to his Majestys laws here established, & keepe them In safe Custody by sufficient Gard or Imprysonment, untill further order be taken by authority, w^unto this shall bee your sufficient warrant, the execution w^of fayle you not as you will answere the Contrary at yo^r perills,

Given under our hand^s this 22th of August: 1665.

Henery Jocleyn

A true Coppel of this order Fran: Champnown Just^s of
transcribed out of the Edw: Rishworth the pea:
originall & therewith com- Edw: Johnson/
pared this 28: Oct: 65:

p Edw: Rishworth Re: Cor:

End: A Coppel of the Order to y^e Military officers/

By M Jocelin, Cap^t Champernowne &c. 22 Aug. 1665./

Sir R. Carr, & S. Mavericke to Sec. L^d Arlington/

Sir,

It being here rumored that Col^{ell} Cartwright is taken by a Dutch privateer hath put us into no litle confusion, & rendered us uncapable to give you so full an account of all our transactions in these parts, as we had done by him, by reason (that if he be taken) the originall papers of our transactions in these parts, are we feare lost, together with many materiall Petiçons of severall persons to his Ma^{tie} and to our selves; other writeings of concernment, and the Maps of the severall Colonies. Wee have made use of all oppertunities to give you from time to time Accounts of our proceedings: but fearing miscarriage, we hereby give you the trouble of perusing the inclosed papers; and this cursory recapitulation of what is in our present possession.

You formerly had account given of what was done in the three Southern Colonies: and (wee hope also you have rec^d one) of what was acted with the Gen^{all} court of the Massachusetts in Boston, after our arrivall in these parts, till May 30th for we sent you it by Cap^t Harrison. Wee shall send you by the next opportunity the copies of all other that are wanting of our transactions with them; we have them not here, for we sent them to New: Yorke to Col: Nicolls

Here inclosed, amongst others, you will find a copy of our report to his Ma^{tie} concerning Duke Hamiltons patent; Of which if by reason of Col: Cartwrights surprisall you have not the originall you may please to acquaint his Ma^{tie}

When we were in the southern parts at Warwick, John Porter presented us with a petiçon the copy whereof is amongst the others inclosed) signifying his greivance: where upon we ordered him to make proof of his complaints, & gave him his Ma^{ties} protection, till his cause was heard by us &c. We came from these parts to Boston, & stay'd there till the accustomed time of their gen^{all} Court came; at which

time Col: Nicolls haply came, together with us to treat wth them concerning the conteints of his Ma^{ties} comission, & privat instructions to us: We found them presumptious, & refractory, & could obtain nothing from them, that might be satisfactory to his Ma^{ties} desires: and their answers to the instructions of his Ma^{tie} to us (of which we gave them copies) were delaytory, & impertinent: Where upon, we of necessity, (as a Court of appealls) sūmōned the Governor, & Company to answer to the action of M^r Thom Dean, & others (according to his Ma^{ties} instructions) in the case of the Ship Charles of Olleroon; to which they not onely refused to appear: but sent to us this inclosed declaracōn, upon May 24th 1665 by eight of the clocke in the morning, an hower before we intended to have sate: and proclaimed it by sound of Trumpet, under Col: Cartwrights chamber window, he being then lame of the gout at Captain Breecons, where we intended to have sit. A copy of our answer, or conclusion with them you will see annexed to the same copy of their declaration.

At this gen^{all} Court June 2^d they cōmissionated M^r Simonds, & M^r Danforth to go into the Eastern parts, & to oppose us in our proceedings in what we were injoynd to act; as you will see by the inclosed copy of their Cōmission, a copy of which was given by them directed to S^r Rob^t Carr, we being in those parts, when they came to put it in execution; Where being; a letter from his ma^{tie} came to our hands signifying the War with the Dutch, & injoyning us to looke after the fortification of these parts against them, whereupon we sent out our warrants to Portsmouth, & other places in those Eastern parts to that end, & purpose: The Governor & Councell at Boston haveing notice by some one of their intelligencers, sent to the Constable of Portsmouth a prohibition of the peoples meeting, & to us a letter, copies whereof; & of our reply, here inclosed you will find;

As also a copy of their warrant to summons a special gen^{all} Court thereupon to be held Aug. 1st Thus far was sent by Col^l Cartwright an exact account of all proceedings with the Massachusets & the other Colonies, as you may please to see by the inclosed copy of the letter we sent by him to your Honour.

Since that time, be pleased S^r to take notice that at the Gen^{all} Court then held, a warrant was sent by them to the Constable of Kittery in the Province of Mayne, a copy of which you have herewith: Wee haveing then settled the Eastern parts beyond Passataquay river under his Ma^{ties} immediat government, till his pleasure was further knowne (by reason, as you will find hereby, or their disquiet, & unsettled condiçon otherwise) the Massathusets (still reteining their wonted opposition) comissionated M^r Tho. Danforth, M^r Eliaz: Lusher, & M^r John Leveret, to go thither, & reduce them to their government: The inhabitants there having notice thereof sent to us a letter (the copy whereof you will receive hereby) under the hands of Cap^t Champernown, M^r Rishworth, & M^r Johnson, signifying their fear of them & desiring our direction what to do in the case; Whereupon S^r Rob^t Carr went thither, waiting till they should come to exercise such theire Comission; In the meantime the Gentlemen in the Eastward parts made preparaçons for their coming as the copy of the letter herein inclosed from M^r Rishworth will give you to understand. These Co^mmissioners came as far as Portsmouth; and S^r Rob^t Carr being then at Kittery hearing thereof, sent them a letter a copy whereof is inclosed: yet notwithstanding, they sent their peremptory summons, dated Octo^b: 10th to one Abraham Corbett to appeare at their next gen^{all} Court, which fell out the next day being 11th of Octo: last, to answer to a contempt (as they please to all it) for in a disorderly manner stirring up Sunday of the inhabitants to signe a petiçon, or remonstrance

against his Ma^{ties} authority there settled &c: From hence they went to Dover to keep Court. The Eastern people where informed, they would come in an hostile manner; and therefor met at Kittery, to have opposed them if they came over the river, which was supposed one cause of their speedy returne towards Boston, they going that night to Salisbury being 22 miles thence.

This being all for the present that we can informe you of; We desire (if it have pleased God that Colonell Cartwright have escapt with his life, & be in health) Your Hono^r will please to shew him this account, and the inclosed papers, that what is wanting, he calling it to mind may give you further informaçon thereof.

Before this could be dispatched, the Marshalls of Dover, & Portsmouth brought M^r Corbett hither a prisoner, having apprehended him by order of a Warrant to them directed from the Gen^{all} Court sitting last October: and carried him before the Governo^r who immediatly committed him to prison, there to continue till the next Gen^{all} Court: unless he procured Baylee &c: as by the copies inclosed you may see. Severall sufficient Gentlemen were proposed for it, and by them refused. The person still remains confined: and we can receive no satisfactory answer, for present, why. Wee committ it, to your judgm^t what to thinke of the matter, & hope you will signifie it to his Ma^{ties} remaining

S^r

Your humble Servants

Robert Carr.

Samuell Mavericke.

Boston. Novemb^r 20. 1665.

End : Boston, in New-England

20. Nov. 65. — R. 19 Jan.

S^r Robert Carre &c.

Comiss^{rs} in N. England.

sent an Account of all Transactions

wth them, by Co^l Cartwright, wth the mapps

of severall Colonies. Inclose a Copy of their

report to his Ma^{ty} concerneing . . . Hamilton's

Patent.

That y^e Governour of Boston, and they doe clash.

That y^e Massucusets are still vnquiet.

Pray y^t Col. Cartwright may see the Inclosed

Papers; & supply what he finds wanting./

To yo^r honourable Self./

November 20^o: 1665./

H. Jocelyn, & others, Justices of the Pro: of Maine, to
Col. Nicolls/

Right Hono^{ble}

The dayly frownes of our displeased, & discontented Neighbours of the Massachusets upon us, & our present way of establishment, as appeareth by their comminatory acts formerly, & later indeavours, so far as they could effect their designes, doth occasion some to feare, others to hope for a change amongst us; which differing considerations are apt to divide our Judgments, if not disunite our affections, whereby the hand of authority comes to be weakened, our peace interrupted, & good order the more neglected. For the better countenaucing whereof, it is our humble request, that your Hono^r would be pleased to propose our desires unto S^r Robert Carr, whose presence, at his owne convenience, in the Spring, would be acceptable to us, & w

doubt not, very effectuall amongst us, for the more steddily carrying on of the publique affaires of this Province; to the well setting of our peace at home, & discountenancing of molesters abroad, whose cheifest industry will be to divide us, thereby to dissolve us, the better if it may be to advantage their owne interest pretended; & to destroy ours; which by this meanes, wee hope, may bee prevented; and ourselves further ingaged under the greater obligations of thankfulness unto yo^r Hono^r for this favour, for whose welfare we shall ever pray, & at present take leave to Subscribe ourselves,

Your very humble Servants

Henery Jocleyn Fran : Champernowne

Edw : Rishworth Francis Hooke

Edward Johnson Sam^{ll} Wheelwright/

John Wincoll/

Yorke, in the Province of

Main Novemb^r : 22th 1665 :

*End : To the R^t Hon^{ble} Col. Richard Nicolls one of
his ma^{ties} C^{un}miss^{rs} for the Affaires of N. England/
these present at New Yorke./*

Justices of the Pro : of Maine to Sir Rob : Carr/

Sir/

The more then ordinary testimony of your friendly affection unto us so largely evidenced, & influenced by one of the strongest arguments to attest the reallity thereof, which is by the knowledg of a friend in the day of adversity, thus hath your Hono^r been knowne to us, in streights for our security : in answe^r to whose love upon the obligation of our thankfulness, we must ever remaine your perpetuall debtors/

At present we have litle newes, only the full appearance of the people in respect of number at our last Court gave us sufficient testimony of their being well satisfied with their present standing, persons of all parts generally appearing Casco excepted.) from whence came not one person, Neither hath M^r Munjoy accepted his Commission, from which he is now excluded, according to advise given by yourself in that case.

May it please you^r Hono^r it is our requests so far as it may stand with your conveniency in the Spring, for your further presence whose countenance would be very usefull to us, under those cloudes of difficulty, we must expect to meet withall from our opposers, till scattered by the Supream & over ruling hand of his sacred Majesty. We have presum'd to sollicit Colonel Nicolls for furtherance of your Hono^r herein, wherein if there be a mutuall concurrence, your favour to us will be acceptable, & your presence beneficiall, for which must rest the more deeply ingaged to pray for your Honours prosperity, & ever remain your Humble Servants/

Henery Jocelyn/	Fran : Champernowne/
Edw : Rishworth	Francis Hooke
Edward Johnson	John Wincoll
Sam ^l Wheelwright/	

Yorke 29 Novemb^r
(1665)

These above said Gentlemen are
Justices of the Province of
Main, and this a copy of their
letter as attests

Sam : Wheate/

[Note — on back of Document]

This the last I have rec^d
from the Province of
Main./

*Endorsed To the right Honorable Sir
Robert Carr K^{nt} one of his
Ma^{ties} Commission^{rs} for the
affaires of New England
these present at
Boston or else where./*

Sir Rob : Carr to [Sec. Sir W^m Morrice]

Sir/

Vpon the report of Colonel Cartwrights being taken by a Dutch Privateer, I take the boldness againe, to trouble you with a short account of what as concerning my owne business I wrote to you more largely, by him, least that should not come to your hands. W^{ch} was besides the generall account, which with the other Comissionees I had given you, I gave you one of my selfe, to this purpose. there is a tract of land lying from Cowessit South, & South West, to a river called Sagatucket, runing into the Sea, about Point Judith in the Narraganset country which I desire to setle upon. You know the Kings promise to me; and his command that I should acquaint you with my desire, and your token was that I should put you in mind that the King spoke to you, for me in your owne house at a private Musicke. That litle which I had gotten at delaware, & for which I had hazarded my life, I am told is given away, & one is now come to take possession of it; Wherefore I humbly pray yoⁿ to assist my sonne that I may have this land above mentioned, granted to me by Patent. If his Ma^{tie} has not disposed of delaware, & if he please to keep it in his owne hands, it will make a very convenient place of tradeing for the use of the Kings Province. As also the Eastern parts being under his Ma^{ties} owne Governm^t will be very beneficiall in a short time, in regard it is well stored

with the best Masts, & ship timber; which otherwise will be destroyed; and if the King would satisfie the pretenders to the severall small Patents therein, some other wayes, as it is the only desire of the people to be freed from them and to be under his Ma^{ties} immediate Governm^t as will appear by their petiçon sent by Colonel Cartwright. Also the people in the Eastern parts were very desirous that I should be their Governour, and would have altered their petiçon to the King but Colonel Cartwright could not stay, who can give you a further acco^t. then I can by writeing. If the King will take these provinces under his owne Governm^t I shall serve his Ma^{tie} as faithfully as any he shall set over them: and I hope you will acquaint his Ma^{tie} with it, and stand my friend at this distance./

S^r After we from hence had dispatched a letter to you by Cap^t Thirston dated of November y^e 20th last, contening many copys of transactions here &c. came the inclosed copy of the petiçon of Wells Court to my hands, the originall whereof, as I remember, was sent by Colonel Cartwright: Also I going to visit M^r Corbet in the prison of this towne, about his Bailement, was presented with a petiçon from one Hoare, the which is here inclosed. So that by this you may in part see the greivances of his Ma^{ties} subjects here; If it have pleased God that Colonel Cartwright did arrive safe, he can let you heare of more of the like nature; I wish that his Ma^{tie} would take some speedy course for the redresse of these and the like innormities, and for the suppression, of the insolencies of these persons here./

Be pleased Sir, to be a friend to me concerning the conteints of the inclosed to Colonell Cartwright, which I have left open to your perusall; The reason is, something hath been (as I am informed) maliciously reported concerning me, which hath come to his Ma^{ties} hearing, & rendered his Ma^{tie} displeased with me; the which I doubt not but to cleare my self of, and thereupon have presumed to be so

far bold, & troublesome to his Ma^{tie} as to send a l^re to be presented unto him about it, the inclosed is a copy of it. If it have pleased God that Colonel Cartwright be taken, & you please to pardon me for the giving you the trouble of presenting the inclosed (in his stead,) to his Maj^{tie} you will infinitely ingage me in through performance of what is my duty, & service to his Ma^{tie} and by some reall service acknowledge my selfe,

Sir

Your Honours

Boston/

faithfull Servant.

Decem^r: 5^o

1665./

Robert Carr/

S^r

Although in the letter above mentioned sent to you by Thirston, I, with, M^r Mavericke gave you a particular account of what was acted by us since the time of the Massachusetts Gen^{all} Courts proclamation by sound of Trumpet, to that present time; by sending you there inclosed the severall copies of materiall concerns,—Notwithstanding I thought it not amiss to send you here inclosed the originall letters from some of the Gentlemen in the Eastern parts, togeather with one that came to my hands since We sent the afore mentioned letter, That you may see in part what we more fully therein mentioned concerning the precipitate actions of the Gentlemen of the Bay of the Massachusetts government. I shall need say no more, in this post script, at present, then I have said above, but that I am

Your Honours

faithfull Servant.

Robert Carr/

End: S^r Ro: Carr

Boston

December 5:

Sir Rob^t Carr to Col. Cartwright./

Sir.

I hope this may kiss your hands, That if misfortune have soe far chanced, that you were taken, by a dutch Privateer, as is here reported; and so the severall writeings be lost; It may give you a partiall account of what you had as to my particular concernes. (For other things of his Ma^{ties} concernment, copies of which some were left in my hands, I reffer you to S^r Henry Bennet's letter, and papers herein sent by Thirston the other day, from us.) The particulars here-inclosed are, My petiçon to his Ma^{tie} and letter to him.

I comitt mysele to your discretion in acting what thereon you conceive meet, not doubting of your willing performance, With my reall acknowledgments, & thankfulness for your former favours, I rest,

S^r

Your reall friend

Boston

Decemb. 5^o
1665.

Robert Carr/

End: For the Hono^{ble}

Colonel George Cartwright/

Boston in New-England

Dec. 5. 65/

S^r Robert Carr/

sends to Col. Cartwright

Duplicates of those Papers w^{ch}

y^e Dutch Caper tooke from Him./

Petition of Sir Robert Carr to the King./

To the Kings most Excellent Ma^{ty}:The humble peti^{ti}on of S^r Robert Carr Kn^t.

Sheweth

That your Ma^{ty} was graciously pleased to promise your Peti^{ti}oner at his going for New: England, that something there, should be granted him for his advantage, by yo^r Ma^{ty} for his service: and that your Ma^{ty} commanded your Peti^{ti}oner to acquaint S^r Henry Bennet, with his desire: and also, that, that litle which your Ma^{ties} Peti^{ti}oner, had gotten at Delaware, with the hazard of his life, is given to another, & y^t one is come over to take possession of it.

Wherefore your Ma^{ties} peti^{ti}oner humbly desires that he may have that tract of land in the Kings Province lying from Coweset, South and South-west to a river called Sagatucket, runing into the Sea about point Judith granted to him by Patent from your sacred Ma^{ty}/

As also, that if your Ma^{ty} please to keep either the Kings Province or the Province of Mayne, or that which M^r Mason lays claime unto, under your owne Royall Governm^t Your Ma^{ties} peti^{ti}oner may be intrusted with the Governm^t of one of them; who shall wholly lay himselfe out, for your Ma^{ties} service; and shall ever pray for encrease of Honour, to your Ma^{ty}, & ages to enjoy it.

Robert Carr/

*End: The Peti^{ti}on of S^r R: Carr
of New-England, in 65.*

Conecticut./

The Colony of Connecticot returned their humble thankes to his Ma^{tie} for his gracious Letters, and for sending Commissioners to them, and made great promises of their Loyalty and obedience

And they did submitt to haue appeales made to his Ma^{ties} Commissioners, who did heare and determine some differences amongst them

All formes of Justice passe only in his Ma^{ties} name They admitt all that desire it, to be free of their Corporation.

They will not hinder any from enjoying the Sacraments and using the common Prayer Booke provided that they hinder not the maintenance of the Publick Minister

They will amend any thing that hath been done derogatory to his Ma^{ties} Honour (if there be any such thing) as soone as they shall come to y^e knowledge of it/

The Bounds betwixt the Dukes Province and Connecticot were mistaken by wrong Information, for it was not intended they should come nearer to Hudsons River then 20 miles, Yet the line was sett doune by the Commissioners to goe from such a Point Nor-nor-west whereas it ought to goe just North, otherwise the line will goe into Hudsons River.

They haue nothing to say against Duke Hamiltons Patent, But that their Writings were burnt, and that they bought that Land of the Lords Sey and Brooke, and others, and that his Ma^{tie} hath confirmed it unto them and that they never knew that the late Marquesse Hamilton had a graunt of it, for he never sent any to take possession of it, or to inhabite upon it.

Their Easterne bounds are determined to be a Line drawne Westward from the midst of the ford in Pawcatuck River neare to Shawes house, their Northerne bounds, is the South line of the Matachusets, which as they complaine is stretcht much too Southerly [This Colony hath many good Rivers and Harbours, many townes but scattering ones, not

worthy of their names] and a Scholar to their Minister in every town or Village, but no places fortified except Seybrooke fort, which is much gone to decay, and here for the most part they are rigid Presbyterians./

Road Island./

The Colony of Road Island, and Providence Plantations returned their humble thanks to his Ma^{ty} for sending Commissioners, and made great demonstrations of their loyalty and obedience

They approved as most reasonable that Appeals should be made to his Ma^{ties} Commissioners, who having heard, and determined some causes among them, referred other some in Civility to their generall Court, and some to the Governour and others, some of which causes they againe remitted to the Commissioners to be determined

All proceedings in justice are in his Ma^{ties} name.

They admitt all to be freemen who desire it.

They allow Liberty of Conscience and Worship to all who live Civilly.

And if any can informe them of any thing in their Lawes or Practise, derogatory to his Ma^{ties} honour, they will amend it.

The Marquisse of Hamiltons Pattent takes in all Road Island Colonies, and about halfe of Connecticot.

The Nanhygansetts Sachims did in the yeare 1644 by writing surrender themselues, their people and Country into the late Kings Protection, Two of which Sachims, now living did actually in their owne persons surrender themselues, Poeples, and Country into his Royall Ma^{ties} Protection, before his Commissioners, and delivered to them — that very deed made in 1644 which had been carefully kept by M^r Gorton &c

Whereupon the Commissioners According to their Instructions, entred upon the Country in his Ma^{ties} name, and haue

named it the Kings Province, haue taken the natiues into his Ma^{ties} Protection, and haue appointed Justices of the Peace to governe it, untill his Ma^{ties} pleasure be further knowne, for this Nanhygansett Country is almost all the Land belonging to this Colony which cannot subsist without it, and therefore the Commissioners ordered that the Magistrates for the Colony should be Justices of the Peace for the kings Province, that no difference may rise betwixt the Officers/

The Sachims did thankfully receiue two Coates presented to them in his Ma^{ties} name; in acknowledgem^t of their Subjection, they are to pay yearly upon the 29th of May two Wolfe skinnes to his ma^{tie}, and did now send two Capps of Peag and two Clubbs inlayed with Peag for a present to the King, and a feather Mantle, and a Porcupine Bagg, for a present to the Queene, which were all taken by the Dutch/

One of these Princes (named Pessicus) desired the Commiss^{rs} to pray King Charles that no strong Liquors might be brought into that Country, for he had had 32 men that dyed by drinking of it/

These Indian Princes gaue a long Petition to the Commiss^{rs} complayning of many Acts of violence and injustice which the Mattachusetts had done to them, amongst others they had first caused them to be fined, then tooke their whole Country in Mortgage (according to the Remonstrance sent to his Ma^{tie}) and would haue inueigled them out of it, But there could be no redresse, he Matachusets refusing to let y^e Commiss^{rs} haue the hearing of Appeales/

Their Western bounds are determined with Connecticut their Northerne bounds must be the Matachusets Southerne Line, whereever it falls which they complaine to be too Southerly/

Their Easterne bounds betwixt them and New Plymouth could not be determined by consent of both parties (Roade

Island clayming a thread of Land 3 Miles broad all the Length of the Mayne Land lying next to the Nanhygansett Bay, which without great prejudice they of New Plymouth could not part with) whereupon the Commiss^{rs} appointed the Water, the naturall Bounds of each Colony, to be their present bounds, untill his Mat^{ties} pleasure be further knowne/

Mr William Brereton Deputy Governour of Road Island having bought a farme upon that thread of land, which he hoped would belong to that Colony, humbly desires his Mat^{ie} that he may continue to poseesse that farme, though it fall within the Limits of New Plymouth/

And Dr Alcock a Physitian having bought block Island for 400^l of some of Boston (who tooke upon them Power (never graunted them) to sell it) and having been at great Charges in Planting of it, desires his Mat^{ie} that he may not be dispossessed of it, he submitting to the Governm^t of Roade Island, both these Petitions to his Mat^{ie} are lost./

This Colony (which now admitts all Religions, euen Quakers and Generallists) was begun by such as the Mattachusetts would not suffer to liue among them, and is generally hated by the other Colonies, who endeavoured severall wayes to suppress them, They maintained other Indians against the Nanhygansett Indians/

The Commissioners of the united Colonies disposed of a great part of this Country, pretending they had conquered it from the Pequid Indians, But evidence being made that the Nanhygansett had conquered it before the English began their Warre, and that the right was in him who sold it to the Road Islanders, and his Mat^{ties} Commiss^{rs} not thinking it justifiable for any Colony to dispose of Land without their owne Limitts, determined it for the Roade Islanders/

The Matachusetts did maintaine Punham (a pretty Sachem in this Province) 20 yeares against this Colony, and his cheife Sachin, and did by armed Souldiers beseige, and take

Prisoners Mr Gorton Howden Wyhes Greene and others in this Province and carryed them to Boston, put them in chaines, and tooke 80 head of Cattle from them for all which they could never yet get satisfactiō/

This Colony could never be acknowledged for a Colony, till his Ma^{ties} Charter was published, though in the yeare 1643 they sent over some into England to procure the Kings Charter then, but finding that unnaturall War begun, and the King gone from London, they tooke a Charter from the Lords and Commons, which was more then Newhaven did pretend to, and more then Connecticot could shew, Yet these two were admitted Colonies in their great Combination and Road Island slighted/

The Nanhygansett Bay is the largest and safest Port in New England, nearest the Sea, and fittest for trade.

This Colony hath two scattered townes upon Road Island two upon the Maine Land, and four small Villages/

Here only yet is Limestone found, and here only the Governour and Magistrates serue the Publick at their owne Charges. In this Colony is the greatest number of Indians yet they never had any thing allowed towards the civilizing and Converting of the Indians. And in this Colony they haue the greatest Plaines, but no Place of strength fortified, though many places capable of fortification/

In this Province also is the best English Grasse, and most sheepe, the ground very fruitfull, Ewes being ordinarily two Lambes, Corne yeilds 80 for one, and in some places, they haue had Corne 26 yeares together without manuring/

In this Province only they haue not any Places set apart for the Worshipp of God, there being so many subdivided Sects they cannot agree to meet together in one place, but according to their severall Judgements they sometimes associate in one house, sometimes in another/

New Plymouth/

The Colony of New Plymouth returned their humble thanks to his Ma^{tie} for sending Commissioners and made great promises of their Loyalty and obedience

They did submitt to haue Appeales made to the Comm^{rs} who here had but one Complaint made to them, which was that the Governour would not lett a man enjoy a farme of 4 Miles Square which he had bought of an Indian. The Complainant soon submitted to the Governour, when he understood the unreasonablenesse of it/

All formes of Justice are in his Ma^{ties} name They are here constrained to perswade men, sometimes to compell them to be free men, so farre they are from hindring any/

They will not hinder any from enjoying the Sacraments and using any forme of Worship, that is not against Christianity, provided that they alwaies contribute to y^e maintenance of the Publique Minister, and will amend any thing that may be Derogatory to his Ma^{ties} honour

This Colony is seated on a neck of Land, the barrenest part of the Country, They were the first Planters in New-England, though the Matachusets got the first Charter, and since hath much streightened this Province, by stretching their Line too much Westward

They shewed their Charter and gaue a Coppy of it to y^e Commissioners, and told them, they were so poore, they could not renew it, whereupon the Commissioners tooke occasion to offer to get their Charter renewed and delivered to them at the Commiss^{rs} owne charges, if for a further demonstration of their Loyalty, they would let his Ma^{tie} choose one of three whose names themselves should send to the King, to be their Governour, and this to be done every three yeares or every five yeares which they thought best. The Commiss^{rs} thought if this had succeeded well in this the first Colony they had visited, it might have been a good Example to the rest.

But after the Generall Assembly had considered of it with many thanks to the Commissioners, and great Protestations of their Loyalty to the King, they chose to be as they are.

They haue about 12 small Tonnes, one Sawmill for Boards, One Bloomery for Iron, neither good River nor good Harbour, nor any place of Strength

They are so poore, that they are not able to maintaine Scholars for their Ministers, but are necessitated to make use of a gifted Brother in some Places/

Report of His Mat^{ties} Commiss^{rs} concerning the Massachusetts/

The Colony of y^e Massachusetts was the last, and hardlyest perswaded to use his Mat^{ties} name in their Forms of Justice.

In this Colony, at the first coming over of y^e Co^mmissioⁿers, were many untruths raised, & sent into other Colonies, As that y^e King had sent to raise 5000^{li} yearly for his ma^{ties} use &c. whereupon major Hathorne made a Seditious Speech at the head of his Company, And the late Governour another at their Meeting-House in Boston, but neither of them were (so much as) questioned for it, by any of their magistrates.

The Co^mmiss^{rs} visited all other Colonies before this, hoping both, that y^e Submission & condescension of y^e other Colonies to his Mat^{ties} desires would have abated the refractoriness of this Colony, which they much feared, And that y^e Assistance of Colonell Nicholls (whom they expected) would have prevailed much; But neither Examples, nor Reasons could prevaile with them to let y^e Co^mmiss^{rs} hear & determine so much as those particular causes (M^r Deane's, & y^e Indian Sachims) which y^e King had Co^mmanded them to

take care of, & to do Justice in, & though y^e Co^mmiss^{rs} (who never desired that they should appear as Delinquents but as Defendants, either by themselves, or by their Attorneys) assured them, that if they had been unjustly complayned of to his Ma^{tie}, their false accusers should be severly punished, & their just dealing made knowne to his Ma^{tie}, & to all the World; yet they proclaymed by sound of Trumpet, y^t y^e Generall Court was the Supreamest Judicatory in that Province, That y^e Co^mmiss^{rs} pretending to hear appeales was a breach of their Priviledges, granted them by the Kings Royall Father, and confirm'd to them by his Ma^{ties} owne Letter, & that they could not permit it. By which they have for the present silenc't about thirty Petions, which desired Justice against them, & were all lost at Sea.

To elude his Ma^{ties} desire of their admitting men civill, & of competent Estates to be Free-men, they have made an Act, whereby, he that is 24 years old, a Hous-keeper, & brings one Certificate of his civill life, another of his being orthodox in matters of Faith, & a third of his paying ten shillings, (besides head-money) at a single rate, may then have liberty to make his desire known to y^e Court, & it shall be put to y^e Vote.

The Co^mmiss^{rs} examin'd many Townshippes, & found that scarce three in a hundred pay 10^s at a single rate; Yet if this rate was generall it would be just; but he y^t is a Church-Member, though he be a Servant, and pay not 2^d may be a Freeman.

They will not admit any who is not a Member of their Church, to y^e Co^mmunion; nor their Children to Baptisme, yet they will marry their Children to those whom they will not admitt to baptisme, if they be rich; They did imprison & barbarously use M^r Jourdain for Baptizing Children, as himself complain'd in his Petition to y^e Co^mmiss^{rs}, Those whom they will not admit to y^e Co^mmunion, they compell to come to their sermons, by forcing from them five shillings

for every neglect, Yet these men thought their own paying of one shilling for not coming to prayers in England was an insupportable Tyranny.

They have put many Quakers to death, of other Provinces (for which also they are Petion'd against) First, they banish'd them as Quakers upon pain of Death, & then executed them for returning; They have beaten some to Jelly, & been (other wayes) exceedingly crull to others; & they say, the King allowes it in his Letters to them. Indeed they have misconstrued all the Kings Letters to their own sence. They yet pray constantly for their Persecuted Brethren in England.

They have many things in their Lawes derogatory to his Ma^{ties} honour; of which y^e Co^mrs made a Breviat, and desired that they might be altered, but they have yet done nothing in it. Amongst others, who ever keeps Christmas day is to pay five pounds.

They caused at length a Mapp of their Territories to be made, but it was made in a Chamber by direction and Guess; In it they claime Fort Albany, and beyond it all the Lands to the South sea. By their South Line they intrench upon the Colonies of New Plymouth, Rode Island, & Conecticot; And on the East they have usurped Capt: Mason's & S^r Ferdinando Gorges Patents, & said, that y^e Co^mmiss^{rs} had nothing to doe betwixt them & M^r Gorge, because his Ma^{tie} ca^mmanded them, either to deliver possession to M^r Gorge, or to give his Ma^{tie} reasons why they did not.

The Co^mmiss^{rs} being at Piscataquay when they received his Ma^{ties} Letter, which Co^mmanded them to see the Harbours Fortified &c, sent their Warrants to fower Towns, upon that River, requiring them to meet at such a time & place, to hear his Ma^{ties} Letter read; one of these Warrnts, was sent Post to Boston; from whence, two Marshalls are sent by the Governor and Councill, with another Warrant to forbid the Townes either to meet, or to do any thing Co^m-

anded them by the Co^mrs at their utmost perills; and withall sent an unbeseeming Letter to y^e Comiss^{rs} both w^{ch} Letter & Warrant were lost at Sea.

Colonell Whalley & Goff were entertained by the Magistrates with great solemnity, & feasted in every place, after they were told that they were Traytors, and ought to be apprehended. They made their abode at Cambridge untill they were furnish't with Horses & a Guide, & sent away to Newhaven for their more security. Captain Daniel Gooking is reported to have brought over, & to manage their Estates; & the Co^mmiss^{rs} being informed that he had many Cattle at his Farme in y^e Kings Province, which were suspected to be Whalleys, or Goffs, caused them to be seized for his Ma^ties use, till further Order; But Cap^t Gooking standing upon the priviledge of their Charter, & refusing to answer before y^e Co^mmiss^{rs} as so, there was no more done in it. Captain Pierce, who transported Whalley & Goff into New-England may probably say something to their Estate.

They of this Colony say, that King Charles y^e first gave them power to make Lawes, & to execute them, & granted them a Charter as a Warrant against himself, & his Successors; and that, so long as they pay the fift part of all Gold and Silver Oar which they shall get, they are free to use their priviledges granted them, & that they are not obliged to the King, but by civility. They hope, by Writing to tire the King, the Lo: Chancellor, & y^e Secretaries too; Seven yeares they can easily spin out by writing; & before that time a change may come. Nay, some have dared to say, who knowes what y^e event of this Dutch Warr may be.

This Colony furnished Cromwell with many Instruments out of their Corporation, & their Colledge, And those y^t have retreated thither since his Ma^ties happy returne, are much respected, & many advanced to be Magistrates. They did Solicit Cromwell by one M^r Wensloe to be declared a Free State, and many times in their Lawes stile themselves

this State, this Common-wealth, & now beleive themselves to be so.

They demand what Taxes they pleased, but their Accompts could never yet be seen. Some few Soldiers they keep at their Castle. The Governor hath a hund: pound yearly, every magistrate 30^{ll} &c./

They convert Indians by hiring them to come & heare Sermons: by teaching them not to obey their Heathen Sachims, & by appointing Rulers amongst them over tens, twenties, fifties &c. The lives, Manners, & habits of those, whom they say are converted, cannot be distinguished from those who are not, except it be by being hyred to heare Sermons, which the more generous natives scorne.

This Colony, which hath engroosed the whole Trade of New-England, & is therefore the richest; hath many Towns, but not one regularly built within its Just Limits, w^{ch} y^e Comiss^{rs} find to be Secomet Brook on y^e South West & Merimack River on the North-East, & two right Lines drawne from each of those two places, till they come within twenty miles of Hudsons River; for, that River is already planted, & given to his Royall Highness. Boston is y^e cheif Towne in it, seated upon a Peninsule, in the bottom of a Bay, which is a good Harbour, and full of Fish: it was fortified this yeare 1665 with two Blockhouses; They had before a Castle upon an Island in the roade, where shippes must pass, about five or six miles from the Towne; Their houses are generally Woodden, their Streets crooked, with little decency, & no uniformity, & there neither dayes, months, seasons of the yeare, Churches, nor Inns are known by their English Names. At Cambridg they have a Wooden Colledg; & in y^e Yard a Brick Pile of two Bayes for the Indians, where y^e Comiss^{rs} saw but one; They said, they had three or fower more at Schole; it may be feared y^t this Colledge may afford as many Schismaticks to y^e Church, & y^e Corporation as many Rebels to the King, as formerly they

have done, if not timely prevented. In this Colony too the King hath very many loyall Subjects, who Petition'd their Generall Court, at his Ma^{ties} first coming in, for the owning of his Ma^{ties} & now lately for complying with his Ma^{ties} Co^mmiss^r, but have had neither answer, nor good look since. They are sorry, that so few (for there are scarce above eight of the most Factions) should carry on so strong a Faction, yet they are so over-awed that they can do nothing to remedy it. They only say, that it is now with them, as it was with the Kings Party in Cromwells time. One of these was derided for being so civill as to accompany one of the Co^mmiss^r from y^e Town where he lived to Boston, & others in Boston derided those of Rhode-Island for having yielded so much to y^e Co^mmiss^r. In Boston lyes ten Iron Guns brought from y^e French Fort taken in Cromwells time, which would do well at Piscatoquay to defend the mouth of that River where the masts are laden; if they be the Kings.

On Septemb^r 10: 1664 they published by order of Court, a paper to deterr & affrighten all from making any Complaints to the Co^mmissioners./

The Co^mmodities of y^e Countrey are Fish, w^{ch} is sent into France, Spaine & ye Straights; Pipe-staves, Masts, Firr-Boards; some Pitch & Tarr; Pork, Beif, Horses, & Come. which they send to Virginia, Barbadoes &c, & take Tobacco & Sugar for payment, which they (after) send for England. There is good store of Iron made in this Province. Their way of Government is Co^mmon-wealth-like; their way of worship is rude, and called Congregationall, they are zealous in it, for they persecute all other Formes./

End: Co^mmiss^r of N. England

Massachusetts.

y^e present state of y^e Colony

Duplicate/

New Hampshire

New Hampshire is the name of a Province granted to Cap^t Robert Mason about the yeare 1635 and was to begin on the Sea Coast 3 Miles easterly of Merimack River and reaches to Piscatoquay, and 60 miles of that Breath up into the Country, but now it is usurped by the Mattachusets who pretend that it is within their Bounds, and that the People Petitioned to be within their Protection, it is true that difference of Opinion made a Division amongst them, and a few who were for Congregationall Churches did Petition for their Assistance by which occasion partly by force, partly by Composition they haue engrossed the whole and named it Norfolke/

When the Mattachusets Charter was first granted the Mouths only of the two Rivers Charles and Merimack were knowne to them, for they durst not traualle farre up into the Country, presently after there was an house erected 3 large Miles north from Merimack which was for 17 yeares called and knowne to be the bounds of the Matachusetts, and in that time was this Pattent graunted to Cap^t Mason/

Mr Wheelwright was banished out of the Jurisdictiō of the Mattachusets and was permitted to inhabite immediatly beyond that bound house, as himselfe gaue Testimony before the Commissioners.

Mr Mason had a Pattent for some Land about Cape Anne before the Mattachusets had their first Pattent, whereupon Cap^t Mason and Mr Cradock, who was the first Governour of the Mattachusets, and lived in London agreed that the Matachusetts should haue that Land which was graunted to Cap^t Mason about Cape Anne, and Cap^t Mason should haue that Land which was beyond Merimack River and graunted to the Matachusetts/ This agreement was sent to Mr Henry Jocelin to get recorded at Boston, but before he could haue leisure to goe thither he heard that Cap^t Mason was dead, and therefore went not, of this he made Affidavit before the

Commiss^{rs} who forbore to doe any thing about the Limitts of this Province till this might more fully be proved, though the Generality of the People Petitioned to be taken from under the Matachusets Tyranny, as themselves styled it/

The Matachusetts since they had, the Governement of this Province, haue graunted and divided the Land into severall Tounshipps, which are very large and thinn, three of which are seated upon Piscatoway River, which is a very good Harbour, and very capable of Fortification, here are excellent Masts gotten, and here dry Docks might be made, and upon this River are about 20 Saw Mills, and here great Store of Pipe Staues are made, and great store of good timber Spoyled./

Maine/

The Province of Mayn begins at the Easterne side of Piscatoway and reacheth to Kenebec River it was so named and granted to Sr Ferdinando Gorges by King Charles the first, but was usurped also by the Mattachusets under Pretence that it was within the Limitts of their Charter, and that the People Petitioned to be under their Governement and they named it Yorkshire, One Gentleman who refused to submitt to the Mattachusetts, and suffered great Losses by them, shewed the Commissioners a Warr^t which the Mattachusets made to haue him brought to Boston alive or dead, and now demands justice against them. This Province upon Petition of the Inhabitants and the differences betwixt Mr Gorges Commissioners and the Mattachusetts, his Ma^{ties} Commissioners tooke into his Ma^{ties} Protection and Governement, and appointed Justices of the Peace to governe them, untill his Ma^{ties} pleasure be further knowne/

The Inhabitants afterwards Petitioned his Majesty that

they might alwaies continue under his Ma^{ties} immediate Governement, and that Sr Robert Carre might continue there their Governour under his Ma^{tie} which Petition was lost at Sea/

In this Province also an Indian Sachim who liues neare to the great Lake from whence flowes Merimack River Petitioned his Ma^{tie} to take him under his Protection which is also lost/

In this Province there are but few Townes, and those much scattered as generally they are all throughout New England, They are rather farmes than Townes but in this Province there is a Bay called Casco Bay in which are very many Islands, 2 Out lets to the Sea, many good Harbours, and great store of fish and Oysters, Crabs and Lobsters, In this Province as in all the rest there are great store of wild Ducks Geese and Deere in their Seasons, Strawberries Resburies Goosberries, Barberies, and severall sorts of Bilberries, Severall sorts of Oakes and Pines, Chestnut Trees, and Walnut Trees, sometimes for 4 or 5 Miles togeather, the more Northerly the Country is, the better the Timber is accounted/

Kenebeck/

On the North East side of Kenebeck River, which is the bounds of the Province of Mayne, upon Shipscot River, and upon Pemaquid 8 or 10 miles Asunder are 3 small Plantations belonging to his Royall highnesse the biggest of which hath not aboue 30 houses in it, and those very meane ones too. and spread over 8 Miles of ground at least. The People for the most part are fishermen, and never had any Governement amongst them, and most of them are such as haue fled thither from other places to avoyd Justice, Some here are of Opinion, that as many Men may share in a Woman, as they doe in a Boate, and some haue done so,

The Commiss^{rs} for necessity sake haue appointed the best whome they could find in each place to be a Justice of the Peace, and haue ordered three of those Justices of the Peace in the Province of Mayne, who liue next to them to joyne with them in holding of Sessions till further order be taken/

In these parts are the best white Oakes for shipp timber all the Lands graunted to his Royall High^s in these Northerne parts of New England except these 3 Plantations are also graunted to S^r Thomas Temple in the Pattent of Nova Scotia/

My Lord

In obedience to your Lord^{ps} commands here are the Transactions of the Commiss^{rs} in New England breifly sett downe, each Colony by it selfe, The Papers by which all this and much more might haue been demonstrated were lost in obeying his Mat^{ies} Command by keeping Company with Cap^t Peirce who was laden with masts, for otherwise in Probability we might haue been in England ten dayes before we mett the Dutch Caper, who after two houres fight took stript and landed us in Spaine/

Your Lord^{ps} most humble Servant

G. C.

My Lord

Hearing also some frenchmen discourse in New England of a Passage from the West Sea to the South Sea, and of a great trade of Beaver in that Passage, and afterwards meeting there with sufficient prooffe of the truth of what they had said concerning the Beaver trade, conceiving great probability for the truth of the Passage, and knowing what great endeavours haue been made for the finding out of a North West Passage, I thought them the best present I could possibly make to his sacred Ma^{tie}, whereupon I perswaded them to come to England I humbly begg your Lord^{ps} favour to

procure from his Mat^y some Consideration for the Losse suffering and service of your

Lord^{ps}

Most humble Servant

Geo : Carr.

Dec^r 14th/

Mr Madder : } at Boston/
 Mr Mayo }
 Mr Elliott at
 Mr Mayhew at Martins Vineyard/
 Mr Brown at Sudbury/
 Mr Hubbard at Hingham/
 Mr Hubbard of Ipswich/
 Mr Woodbridge of Newbery/
 James Oliuer of Boston/
 John Porter/
 Maj^r Hawthorne/

Commission.

The Comissioners of the General Co^{rt} of the Collony of the mattachusetts in New Engl^d by authority of theyr Commission dated 20 may 1668 from theyr right of jurisdiction by Authority of the Kings Majestyes Royal Charter.

To Capt Richard Walderne, Cap^t Rob^t Pike Majo^r Bryan Pendletō & m^r Elias Styleman senio^r

You and every of you are hereby Authorized wth magis-
 tratical Authority wth in the Covnty of Yorke in the
 Collonye of the mattachusetts aswel for the strengthening

the hand of those associates chosen & sworne or to be sworne as also for Keeping of Co'ts in the sayd Covnty w'h the assotiates & espetially to keep a County Co't in Yorke being the Shyer Towne of the sayd County, ordered to be held there the third tuesday of Septemb^r being the 14th day of the m^o

given vnder o^r hands & seals in Yorke this 8 day of Se. 1668

This to Continue vntil the

J. L.

Genral Co't Take fvrther order

E. T.

Commission

To major Genrall John Leverett & Edward Tyng Esq^{rs}
Capt Richard Walderne & Capt Rob^t Pike Gentlⁿ

 Yov are hereby avthorized & requyred to repayre to Yorke in the Covnty of Yorke & there yov or any twoe of yov whereof Majo^r Geñrall Leverett shalbe one to keep a Covnty Co't according as the Law directes & in Case yov meet wth any person or persons vnder the pre-tence of any other authority y^t shal swerve from the due obedience they owe vnto this jvrisdiction vnder his majestyes Royall charter to which they have submitted, & ingaged themselves that yov Call before yov all such persons & bring them to a dve tryall & to pceed to sentence as the meritt of theyr offence shall requyre.

fvrther yov are avthorized & Comissionated to Establish & Confirme all Officers Civil & Military as yov shall jvdge meete for the setling & preserving of Order & peace in the s^d Covnty of Yorke: & for the better inabling of yov to effect the same yov are hereby authorized from the date of these p'sents to act & doe all such things pparatory to the Keeping of Co'ts & setling of peace in the s^d Covnty as in yov^r discretions yov shall jvdge most meet. And all officers

Civil & military within this jvrisdiction & all other inhabitants are hereby requyred to be asistant to yov as the matter shall requyer, & yov are to render an account of what yov shall doe herin to this Co't at theyr next sessions in octob^r

In testimony wherof this Co't hath Caused the seale of the Collony to be affixed & sygned by the Governo^r the 20 day of may 1668

By the Co't

Edward Rawson Secret

Vpon the receyt of this Coñmission, wee p'sently apoynted Petter Wyer Clerke of the writs; & heareing that y^e marshall Masterson apoynted by the Co't was imprissoned, wee apoynted another marshall by warrant vnder o^r hands but the former marshall being set at liberty agayne the other did not act.

The Co't being by Law to be Kept in Yorke the first tuesday in jvly 1668 being the 7th day of the month, wee repayred to Yorke vpon Mvnday the 6th day; M^r Jocelin & several others styled jvstices of the peace Comeing nye to the ordinary where wee weare before the doare after salutes passed they tould vs they desyred to speake with vs in the morneing. to theyr desyer wee Complied & gave them ameeting; where wee acquainted them wee weare ready to heare what they had to say but not as sent to treat w^h them, about what wee had to doe, by virtve of the Genrall Co'ts Comission. they acquainted vs that they had lately receyved a packett frō Coff Nicolls & therin the Kyngs Mandamus together a Coppy of Coff Nicolls his letter to the Governo^r & magistrates of the Massachusetts Collony; which they desyred us to reade, & fyrst theyr Coñmission, the which wee reade & haveing read them; wee tovld them that those Concerned the Genrall Co't & had beene vnder theyr consideration all but the letter fro Coff Nicolls, & that they had sent theyr decleration in to the County so that wee had

nothing to say onely that wee did not vnderstand that the Comissioners had power to make any sveh temporary settlem^t his majesty haucing before him the Case, for that the massachusetts had in obedience sent theyr reasons why they did not deliver vp the Govern^t of that Covnty to m^r Gorge w^{ch} was according to his Majestyes Co^mmand; then m^r Jocelin tovl^d vs that there was not above five or six of a towne for us, to which we replyed wee shovld see that by the retournes made to the Co^rt^s warrants & appearances, & fl^vrther tovl^d them wee must attend o^r Co^mission in prosecution wherof wee shovld attend his majestyes & the Covyntyes service, not o^r owne; & if wee meet wth opposition wee shovld advise what to doe. many other things passed vs, but with mytvall respect; they sayd they must attend theyr Comission; wee parted & repayred to the meeting house, & there opened the Co^rt by reading o^r Co^mission publickly, & declaring to the people wherfore wee Came, whereto there was great silence & attention:

Then by the Marshall was called for the townes retv^rnes to be brought in for the Election of associates, & retournes were mad frō five townes, the other twoe being hindred as they sayd by the Jvstices, yet of one of them above halfe the electo^rs sent in theyr votes. Whilst the Co^rt was busy in opening sorting & telling the votes, the jvstices Came vp & w^hout doares by some instrvm^t made proclamation that all should attend to heare his majestyes co^mands, Vpon which order was given to the marshall & accordingly he made proclamation that if any had any co^mand frō his majesty they Comeing & sheweing it to the Co^rt the Co^rt was open & ready to heare the same, therevpō those gentl^men came in & manifested theyr desyer that what they had shew to vs in private might be read in Co^rt to the people; to whome we replyed that the Co^rt was in the midst of theyr bysynes in opening the retv^rnes of the Covynty from the several townes of election & that so soone as that was over

& after dinner they shovld have theyr desyer granted, so they left us, & we pceeded to see whoe weare chosen associates, had the retvrnes of jury men, & theyr Names entred both Grand jvry & of tryals, also of the Constables but did not sweare any one, bvt ajourned the Co't & went to dinner, in w^{ch} tyme wee heard that the Gentlmen were goeing to the meeting house to sit as an assembly they haveing before issued ovt theyr warrants for the townes to send theyr deputyes.

whereupon we sent to speake wth after dinner, they retvrned they wovld pvided wee wovld not proceed any fvrther vntill wee spake wth them wee sent them word we did ingage it, they sent vs word that they would meet us at the meeting house, & presently after theyr marshal & Nathaniell Phillips went vp & downe & at all publique places published a paper or writing, whome meeting vpon theyr retvrne, it was demanded of them what & by what authority they had pblished to the peopl to make a disturbance, they answered that they pblished what they had in the Kings Name, they weare demanded to shew theyr order or avthority, they answered that was for theyr secvrity, soe refusing to shew it they weare Coñmitted to the marshall; then we went to Co't, where wee fovnd the hovse ffull, & the Gentlmen to have taken vp o' seates, soe roome being made wee went vp to them, & tovlid them we expected that they wovld not have pvt any such affront vpon the Co't nor shovld svch motions hinder us prossecuting o' Commission for we Covld Keep the Co't els where, some of the people began to speake, bvt weare Coñmanded silence & the officer was Coñmanded by us to Cleare the Co't, wherevpon the peopl departed, & m^r Jocelin spake to some of them nigh him to depart; so they Comeing frō the seat wee came to private disco'se, & they insisted to have theyr Comissiō & the Kyngs mandamus of 1666 to be read; wee tould them that wee wovld performe what wee had promised when

the Co^t was sett, soe wee repayred to o^r seat & they being sett by us desyred that theyr Comission might be read w^{ch} was done & the grownd of it exprest to be frō the peoples petitioning, then y^t pt of the mandamus of 1666 w^{ch} they desyred might be read was read, after which they desyred that Collonel Nicolls his letter to the Governo^r & magistrats of the massachusetts might be read; bvt that not being of Concernm^t to them there save onely for information of the justices of what had passed frō him to the Governo^r & magistrates to whome it was directed it was refvsed, some short accovnt being pvbliquely given of that which had been read for the matter haveing beene before & vnder the Consideration of the Genrall Co^t they had the declaration of theyr intendments in prosecv^{ti}on wherof wee weare comiscionated to keep Co^t & settle the Covynt^y w^{ch} worke wee had begvn & God willing shovld prossecv^{te} to performe the trust comitted to vs.

And haveing declared to the peopl that wee weare not vnsensib^l, how that at the tyme of the interrvtion of the govern^t in the yeare 1665 by sveh of the gentlmen of y^e Kyngs Comissioners that weare then vpon the place they had manifested theyr displeasver by telling the peopl that the massachvsetts weare Trato^rs Rebels disobedient to his Majesty the reward wherof with in the yeare they sayd shovld be retribvted; yet wee tovtld them that through the Good hand of God & the Kyngs favor, the Massachvsets weare an avthority to assert theyr right of Govern^t there; by vertve of the Royal charter derived to them frō his Majestyes Royal pdecesso^r & that wee did not dovbt bvt that the massachvsets Collonyes actings for the forwarding his majestyes service wovld ovt speake others words where there was nothing bvt words for themselves or against vs; w^{ch} done the gentlemē left vs & wee proceeded to the worke of the Co^t to impanel the Grand jvry give them theyr

oathes & Charge; then the associats p^rsent wee cald to take theyr oathes. One of them viz. M^r Roger Plasted, expressed publiquely that he was sent by the towne he lived in & accordingly he had aplyed him selfe to the major Generall more privately to Know how we reasvmed the Govern^t & how they weare to svbmitt, w^h he now mencioned in publick that he might render himself ffaithfvl to them that sent him; to w^h he was answered in publick as hee had beene in private that wee reasumed the Govern^t by vertve of the Charter & that they weare to have like priviledges wth our selves in the other Covnty^es wee had also frō Scarborow a paper p^rsented w^h herewth we p^rsent to the Co^rt; then haveing sworne the Constables p^rsent; impanneld the jury for tryals sworne $\tilde{y}$. & Co^mitting what actions weare entred & prossecvted to $\tilde{y}$. in which tyme the gentlemen sent to desyer that at o^r leasver tyme they might speake wth vs; they weare sent for, & p^rsented us wth a paper after we had recceyved it, wee attended to settle the busynes of the millitary officers & Trained bands & Comissionated for yorke Job Alcock Leiftenant: Arthur Bragdin Ensigne: for wells John Littlefeild Leiftenant ffrancis Littlefeild jvnior Ensigne: Scarborow Andrew Avger Left. ffalmovth. Georg Ingerfeild Left. Kittery, Charles ffrost Capt. Roger Plasted Leift. John Gattirsley Ensigne. Saco Bryā Pendleton major & he to settle black poynt. m^r Knight of wells vpon the morning before wee Came away being thvrsday 9. jvly Came & tooke his Oath, in Co^rt to serve an associate. the Co^rt made an order for the County Co^rt to be held y^e 15th September ther at yorke & for that end Continved the Commission to Capt Walderne & Capt Pyke & others for the better strengthening the avthority vpon the place; as by theyr Commission may apeare. The associats that are now in place are major Pendleton, m^r ffrancis Neale; m^r Knight of wells m^r Raynes of yorke m^r Rodger Plasted of Kittery;

which is humbly submittid to the hono'd Genrall Co't as
the retvrne of yo'r serv'ts this 29th of octob^r 1668 :

Jn^o : Leverett

Edward Tyng

Richard Walderne

The Deputyes hauinge heard the returne of o'r Honord
Comission^{rs} who were Impleyd by this Court, for the re-
duceinge of the County of Yorkshire to the obedience of
this govtment, doe with all Thanfullnes acknowledge their
good service therein, & doe also Allow & approue of what
they haue done in that affayre & doe order the same, to be
entred in the publick records wth refference to the Concur-
rance of o'r Honord magists hereto.

3^d 9th 1668

William Torrey Cleric.

Consented to by y^e magist^s Edw : Rawson Secret

Petition

To y^e Hond Generall Court of y^e Massatusetts
or whome els it shall or may Concerne y^e
humble petition of diuers inhabitants &
freemen of ffalmouth

Humbly sheweth

That wheras there hath Latelie been a sad Contention
in these parts concerning gouernment y^e petitioners most of
them liucing vpon there Labour & desierous rather to Liue
in peace & Learne to bee obedient & submitt to what gouer-
ment itt shall please y^e Lord & our Soueraing to appoint
ouer vs, then to Conted or Determine who our Gouvernours
shall be, yett there hath Latelie certain men appeard in our
Names att y^e Hofn Generall Court & as wee are informed
presented a petition, which was without our Consents or

Knowledg ffor had y^e Gouverment been settled & y^t wee could haue acted with freedom of Spiritt wee would never haue Dishonord y^e Hon^{ble} Generall Court with men of such Liues & Conversations, as are, first M^r George Cleues who is vpon record for breach of Oath & accusd for fforgerie.

M^r Phipen nott many dayes before his departure was beating & drawing of y^e bloud of his Majesties subjects & stands vpon record for slandering y^e Deputie Gouvernour & was alwayes a man of Contention & strife since he cam in our parts John Phillips hath acknowledged himself guiltie of Keepeing a woman which is none of his wife this 14 yeares These men cam in o^r names & exercise Authoritie ouer vs with many soare threatings wherfore our humble request is That if it shall please y^e Lord to continue vs still vnder y^r gouernment you would bee pleasd to grant vs y^e Libertie y^t other of his Majesties subjects haue & you by Article granted y^t is freedom to vote for our officers & nott such men imposed vpon vs/ & wee shall euer pray &.

ffrancis Neale	Nathaniell Wharfe	Rob ^t Sandford
Jane Mackworth widow	George ffelt	John Winter
ffrancis Small	Benjamin halwell	Edw Macering
Richard Martin	John Clayes	John Ghy
Rob ^t Corbin	Samson Perli	
James Andrews	Thomas Sandford	

There is butt 12 or 13 ffreemen in our Towne according to y^e Articles of freedom in our Submission to y^e gouernment 6 of whome haue subscribed here unto & fwe voted for gouernour & other officers Yett there are seuerall who say they are free butt wee Know itt nott & most of vs would haue voted if wee had had warrants as formerlie, to Co^mmand vs so to doe.

*Petition**To the Kings most Excellent Matie^e*

The Humble Petition of yo^r Matie's free-
borne Subjects Inhabitants of yo^r Prov-
ince of Maine in New England./

Humbly Sheweth

That yo^r Matie's Royall ffather of ever blessed Mem-
ory by his Letters pattents bearing Date at Westminster in
the fifteenth yeare of his reigne did grant vnto S^r ffferdinando
Gorges his Heires and Assignes that Tract of land now
called the Province of Maine makeing the same equall with
the Palitanate of Durham to Injoy the like Priviledges To
lay out and grant Townshippes or dispose of lands not
disposed of before and that noe Lawes as should be exer-
cised in that province but such as were made and con-
sented vnto by yo^r Matie's Freeholders Inhabiting the
said province.

That yo^r petitioners vpon those Invitacons and Incentive-
ments did settle in the said province in great numbers and
in short time increased into severall townshippes haueing
amongst vs severall Courts of Judicature and Records and
were for diverse yeares governed according to their Lawes
(agreeable to the Lawes of England) made by the Com-
missioners of the said S^r ffferdinando Gorges and the free-
holders.

That the Bostoners vnder pretence of an imaginary boun-
dary Line did invade our rights and priveledges and erecting
their owne Authority by causing the Inhabitants to sweare
fidelity to their Government.

That about the yeares 1661 vpon our humble representa-
cofi of those matters yo^r Matie was gratusly pleased by
yo^r Royall Letters of 1664 to that government to require

them not farther to disturbe or Intermeddle in the province which they then refused to obey.

Wherevpon yo^r petitioners representing their greivances to yo^r Ma^ties Co^mmissioners in 1665 they solemnly restored and reestablished yo^r Ma^ties authority amongst vs by which wee Administred the Oath of Allegiance and proceeded to governe according to our former lawes and soe continued till about the yeare 1668 when Major Leveret Walden and others entered vpon the provence and with force of armes disturbed the Inhabitants then at a Court holden for yo^r Ma^tie at Yorke in yo^r Ma^ties province of Maine Comanding all proceedings for the future to be Manadged by their owne authority and Lawes since which time notwithstanding the great loss susteyned by the late Indian wars wee are still oppressed with heavy rates and Taxes Imposeing the Sum^e of 3000^l and vpwards to be collected and paid by the Inhabitants of three Townes (viz^t) Yorke Wells and Kittry.

Yo^r Petitioners humbly pray yo^r Ma^tie to take the p^rmisses into yo^r Royall consideration And by yo^r gracious Letters to reestablish and confirme vs vnder yo^r Royall authority granting liberty to Tender Consciences and to impower such whose names are here underwritten to govern according to the lawes and constitucons of this yo^r Maties province untill yo^r Maties pleasure be further knowne therein to which wee shall in all readiness and Duty submitt.

And yo^r petitioners shall for ever pray. &c

John Hole. Rich White. Enoch Hawkins Nicholas Shapleigh peter Dixon Tho: Rice Elihu Genison Rich: Nason

Tho: ffurnall: Roger Dearing Tho: Hanscom Joshua Down-
 ing Rich: King Joⁿ Twisden Rich. Jowell Gabrill Tetherly
 Rich: Miller James Wiggin sen^r Christian Remuith Rich:
 Greene Diggerie Jeffery Edmond Hammond Stephen Jen-
 kins John Morill Jabis Jenkins Joⁿ: White John Greene
 George Buren Adrian Trie Rich: Banks John Keny Rowland
 Young sen^r John Miller John Watson John Pudington
 Sampson Anger Tho: Mussey Jerimiah Sheres Joseph
 Daniell Thomas Drafton Nath: Raines John Brane Arthur
 Baiell Jasper pulman Nath: Daniell W^m More Clement
 Yorke Alexa: Cooper Johnathan Nason Rich: Bray John
 Lard John Taylo^r Josiah Wite Tho: Curtis W^m ffurbish
 Rich: Calle Tho: Littlefield John Granger Tho: Biefor
 Tho: Bragden James Wiggin Jun^r Benjamin Nason Henry
 lebbe John Moggerage Nathan Lord Jun^r Christopher Edg-
 com John Ameradeath Sen^r Abraham Lord John Jordan
 John Ameradeath Jun^r James Staepole Sam Jordan W^m
 Tetherly John Mason Dominicus Jordan Jerimiah Jurdan
 John Trickie Christopher Batt ffancis Trickie Andrew
 Sarel Sen^r W^m: Mansfield W^m Hilton John Sarle John filce
 John Billing John Neale Ambra Bodon Samson Whiet peter
 Grant peter Shaw Rice Thomas Nathan Bradford Christo-
 pher Mobhell John Baiel George Inggerston John Tinny
 Nicholas Tucker Anthony Bracket James Randel Lues
 Tucker Thedeous Clarke John Mackerell Humphery Church-
 well John Dawes John Simpson Paul Williams Lawrence
 Davies Antho: Row Thomas Patten W^m Reener phillip
 ffoxwell John Deancant W^m Rogers Waymouth Bickton
 Joseph Hodsdon John Welding Henry Elkins Thomas
 Stanford John Stilling Tho: Mosse Robert Stanford
 Joseph Gingerson Robert Eadge John Wallice George
 Ingerson John Hill Nathaniell Wallice W^m Sriven phillip
 Lues Robert Rogers Samson Penle Stephan Letherbee
 John Holman Robert Heanes W^m Heans

Petition of John Littlebury

To the Hono^{rb}l the Go^vnor Assistants &
Deputies now in Gene^{rl} Court at Bos-
ton assembled :

Humbly Sheweth that yo^r petitione^r in y^e yeare of o^r Lord 1631 was drawne in by the perswasion of Capt Mason & others the Adventure^{rs} for Certain Tracts of Land Lying on the North East & South-west of puscattoq^r River in New England to pay vnto theire Treasure^s Three hundred pound upon theire pmise, That if yo^r petitione^r should refuse to pceed therein with them Then the said propriato^s would enable yo^r petitione^r to receive the said iij C pound out of the first profits should be made or Received out of the said Lands: Now in pformance of theire forme^r Engagem^t Griffith Gardner & Eyres about Five years since (being all the propriato^s then living did Convey & Assure by Deed all theire 4th part granted vnto them by his Ma^{ty} as the said pattent doth more fully Declare wth the said Divident of Lands lying on y^e North East Side of Kittery parrish made by S^r ferdinando Gorges/ Capt mason with the other propriator^s in y^e yeare of o^r Lord 1633: Now for as much as yo^r petitione^r hath been deluded these Three yeares to his great hinderance & dammage by Capt Champernon, Major Shapley, D^r Barefoot, Corbet & other grand Insendiaries to this p^rsent Go^vment In that they will not permit or Suffer yo^r petitione^r according to the former Divident made as afore-said. in Auno 1633 to measure & lay forth m^r Gorges Three miles from the Sea up the River of Puscattoqr. they well knowing that m^r Gardner^r is to begin where m^r Gorges Lands End: And the Rest of the propriato^s are to goe up the river xij miles Now Major Shapley being Sensable that if Capt Champernon should Suffer yo^r petitione^r to measure & lay forth the propriato^s xij miles of land, to begin where m^r Gorges iij Miles end then he should be questioned for

Seſſall Sumes of money w^{ch} he hath illegally taken of other men for lands w^{ch} he hath ſould. And lately vnder Culler of powe^r received from Colonel Nichols hath diſpoſed of Great tracts of Land And made Leases of Lands for A thousand yeares to m^r Hilton of Exeter, Docto^r Barfoot & diſſ others vnder p^rtence & name of Hamsheire pattent. wthin the Compass of the Lands so Leased great part of the propriato^{rs} & yo^r petitione^{rs} Lands are included :

Now yo^r petitione^r in Reſpect to his Great Age Humbly Craveth the Aid & Aſſiſtance of this Hono^{rb}le Court eyther to make an order for the Meaſuring & laying forth yo^r petitione^{rs} & other the propriato^{rs} Lands or that this Court will be pleaſed to order Capt Thomas Clarke, Capt Walding & Capt Pike to treat with yo^r petitione^r about Setling & Aſſuring of his Ma^{ties} Grant or pattent vnto this Hono^{rb}l Colony of the Maſſaſſuſetts upon Such reaſonable termes as the ſaid Capt Clarke Capt Walden & Capt Pike ſhall make report of to this Hono^{rb}l Court. that ſo yo^r petitione^r may p^rpare him ſelfe to goe with the next Shipping for England & there make good what they ſhall find defective Concerning the p^rmiſſes :

John Littlebury :/

In answer to this Peticon, y^e magiſtrates Judge meete That Major Generall Leveret, m^r Edw Ting & Cap^t W^m Davis be a Comittee to Inquire into y^e true ſtate of y^e caſe reſſering to y^e Peticoners Interſt in any land menconed, who are to Informe the next Court Eleccon thereof :

Their brethren the deputies hereto Conſenting.

3^d Nov^r : 1668

Edw : Rawſon Secret

Conſented to by the Deputyes
William Torrey Cleric

The names of those men who were Instituted by his
Maj^{es} Commissioners to gouverne the Prouince of Mayn In
New England July 1665, & were turned out by the Com-
missioners of Boston 1668

Imp^r President Henry Gosslin Esq^r

of good parts & conuersation well beloved of the
inhabitants and allways A uindicator of Kingly
Gouernment both Ciuill & Ecclesiasticall liueing at
Black Point

Cap^t: Champernoone

of Piscataqua a man allways for the King, and was
Com^{dr} at Sea in same ship under the Lord of Mal-
brough many years agoe

Maj^r Willt: Phillips

of Saco Riuer a man of good Estate & Conuersa-
tion: beloued of all sorts, & one that Suffered
imprisonment for standing up for the Kings gou-
ernment untill forced by Bond not to act according
to his Commission.

Mr Robert Jourdan deceased

Mr ffancis Hooke

A man of good life & conuersation

Mr George Munjoy

of good Estate & conuersation well beloued in the
place he liued to say Casco bay

Mr James Whelewright

of Wells of good Estate & Estemation among the
people

Mr Robert Cutt

of Piscataqua Riuer of good Respect amongst the
People

Mr Edward Johnson

of Yorke An honest man and allways for Kingly
Gouernment

Cap^t Winkall of Piscatâ }
Mr Edward Rishworth }

Both men without Schandaſſ in Reference to life & conuerſation, & now are aſſociates for Boston which is a Small Majeſtraticall Power they haue.

Men that are Enimies to m^r Gorges intreſt, liueing in the Prouince of Mayne

majo^r Bryan Pembleton

A man of Saco Riuer of Great Estate, & uery pre- ciſe independant, beloved only of thoſe of his fra- ternity, being both an Enemy to the Kings intereſt & m^r Gorges Interreſt, alſo a great Ringleader to others to the utmoſt of his Power

Cap^t Raines of Yorke M^r Neale of Caſco bay Arthur Auger of Black Poynt Andrew Browne of Black Poynt Francis Littlefeild of Wells Henry Sawyer of Yorke Peter Wyar of Yorke

theſe are men of indifferent Eſtates, & are led by maj Pembleton & of the ſame independent way underſtanding little but what he tells them is law or goſpell

The names of ſome men in New hampſhire

Imp^r m^r Richard Cutt of Strabery Banke

m^r John Cutt of Strabery Banke

m^r Richard Martin of the ſame

m^r Nathaniell Fryer of Great Island

m^r Thomas Daniell of the ſame

m^r Mahone of the ſame

theſe are all men of great eſtates eſpecially the two Cuttes who are thought to be worth no leſſe yⁿ fifty thouſand pounds, men not ſo over pre- ciſe but that honour will Bias them any ways: that they were but in com- miſſion with thoſe his ma- jeſtie doth appoint noe queſtion but they would except the ſame & ſway all the Country as they Pleaſed for

there is not one man in ten but what are continually in their debts, & Beholden them to trust

Petition

To y^e Honord Generall Court of his Majesties Collonie of y^e Massatusetts att Boston

May itt please this honord Court wee whose Names are vnder written haueing formerly presented a petition to this Honord Court for y^e takeing vs vnder y^r gouernment, Doe by these in y^e behalfe of our selues & y^e rest of our Neighbours humbly renew our request vnto you, & for y^t end & purpose haue desiered & impowered our Loueing frind francis Neale in our Names to Solicitt you & to prosecutte y^e busines for vs and what he shall doe in our behalfe in y^t respect wee shall owne as if itt were done by each of vs in perticular.

Thus with our prayers to y^e great guider & Gouvernor of all things to guid & direct you,

Wee subscrib

Yrs to bee Comanded

Aprill y^e 2th 6

Richard Bray

John Cussens

Henry Webb

William Ryall

James lane

John Ryains

John Burrell

marke

Bengemen 23 Stiuenes

John Hollmane

*Agreement of the Town of Kittery.*May 8th 1669. At Kittery

At a generall meeting of the inhabitants of the Towne of Kittery it was unanimously concluded that for prevention of the burthen to its inhabitants with respect to meeting for publike worship of god and traineings in regard of the distant dwelling of the inhabitants as at present accounted in one Towne that with respect to the occations aboves^d sturgeons creek shall be a dividing line betwixt the upper and nether part of the s^d Towne that none shalbe required to come over the s^d dividing line ether for publike worship or for traineings except one meeteing yearly for traineing two dayes tyme and this agreement to be presented to the Court for a full establishment thereof and the other traineing days which the Law requires to be kept in the distinct divisions and one or two days yearly to be if need require for publike Towne meetings for makeing choice of Country and Towne officers to be had yearly and who ever neglects to attend the publike meetings vpon notice given according to Custome of this Towne is to pay five shillings.

By Genarall Consent of the inhabitances of the towne

p mee

James Heard Town Clarke

5:3 The Deputyes Judge meete to Confirme this
mo agreement of the Towne of Kittery & to
69 stand in force duringe this Courts pleasure
wth reference to the Consent of o^r Honord
magis^{ts} hereto.

William Torrey Cleric.

Consented to by the magis^{ts}

Edw. Rawson Secret

Letter from John Littlebury May 12. 1669.

Hono : Sir

my 4th part: p suruey Cometh vnto 6000 Acors the Inhabitants offered 2ⁿ An Acor to purchas the s^d Lands, all the Lands within the bounds of our pattent, Ariseth vnto ffortie Thowsand Acors which I haue power to dispose of; The proprietors about twenty years since preualed with me to Come into new England, to settle there plantations, which I did at my owne Charge, and did then Enter and layed clame vnto the Ile of Shoales, tooke Quiet posession of the house & Lands in littell harbor where Cap^t Neale liued with seruants we sent him out of old England for the vse of the pattentees and did now lately take posession of house and Land in great harbor with m^r ffryers Consent, all the Inhabitants are very desirous to Compound, which I had long since done but that we Cannot well Agree before m^r Gorges 3 miles be measured and layd out, because we ought to beginn our 12 miles up the Riuer, where M^r Gorges 3 miles ends, as the Deuydent Expresseth, my Oath which I haue laitely taken, the truth wherof is more pretious to me then all the world, if you please to make any scruple of the Assuerance I haue passed, I will procure M^r Gardner, and allso the Executors, or Administrators of the deceased pattentees to Act what yoⁿ please to Conceauce is fitting to be further done; I humbly Intreat you to remember we haue had the posession of the Land neere 40 yeares — spent and disburced aboue 6000 pound in prosecution of this business, All which Assurance shall be made good vnto you as law Can require; I beseech you doe not vnclapse our Interest and drowne it in yours, the King will not suffer it./

Noe prescription of time or Law Can barr the Kings right & Interest vnder whom we Clame our Land by the broad seale of England (Sir) I pray make vs not the ffirst of all

the pattentees which shall suffer vnder your Gouverment, I desier but 200^{lis} to pay my debts, and Carry me for London, in a vessell now goeing, thus you may raise 2000 pound to be at yo^r dispose, & giue better Content to the Inhabitants, if not, pray make an order in Court to measure & Laye forth the Land as we haue presidents, you have formerly done in the like Case. The deuident Expresseth the bounds & Limets of the Land, George Walton the Quaker and old Mayson haue lately sould in great & littell Harbor 40 Acors of Land at the vtmost for aboue 400 pounds, which Lands in right did belong to our pattentees & my selfe; Thus Sir) I shall leaue all to your wisdom to order as the Lord shall direct youre hart;

May 12th 1669

John Littlebuŕy

Report.

The Gen : Court referring y^e enquiry into y^e true state of Capt : Jn^o Littlebury his interest unto y^e lands mentioned in his Petition p^rsented to them y^e last Sessions of y^e Court in Octob^r 1668 vnto us vnderwritten, to make report thereof y^e Court of Election following.

In pursuance of w^{ch} reference wee gaue y^e s^d Capt : Jn^o Littlebury a meeting, who p^rsented his pap^{rs} & writings to us, vpon perusall whereof wee find as followeth viz^t y^t y^e Corporation of Plymouth by Indenture (3. 9. 1631 to S^r fferdinando Gorge Knight, Capt. Jn^o mason & their associates, Jn^o Cotton Hen. Gardner, George Griffith, Edwin Guy Tho : Wannerton, Tho : Eyre, Eleazar Eyre, for seruices done for advancing y^e Plantation, making Clapboards & Pipestanes, Salt, transporting Vines, searching for Iron,

transplanting many souls) grant all y^t land, all y^t house & habitation att Pascataqua 6 miles to y^e Westward of itt to y^e latitude of 43 degrees to Laconia in y^e harbo^r of Pascataqua, so proceeding Northward & Northwest ward into y^e harbo^r & Riuer along y^e Coast, including all y^e Ilands vp to y^e Plantation in y^e Occupation of Ed. Hilton, from thence Westward & S. W. ward in y^e midle of y^e Riuer, & through y^e midle of y^e bay or Lake Baquacack alias Basquacack to y^e westernmost pt of ye Riuer Pascossock to y^e falls thereof, from thence by an imaginary line to pass ouer land to y^e sea where y^e Perambulation began, all Prerogatiues, Jurisdiccions, also y^e Isles of Sholes & ffishing, & all 15 miles of y^e sea-coast on y^e E. & N. E. of y^e side & Harbour of y^e Riuer being 15 miles to y^e S. E. of y^e mouth or first entrance so vp to y^e ffall & Ponds & Lakes y^t feed them 30 miles vpp, & so 3 miles from y^e s^d River, To y^e Gent. aboue named pajng to y^e King y^e 5th pt of mine Royall & to y^e Councill 40^s sterl. at y^e feast of S^t Michaell if lawfully demanded att y^e insurance office on y^e West-side of y^e Exch, y^e seale of y^e Councill being to y^e one pt. & of y^e ptyes to y^e other.

Dec. 6th 1663 a division made att a meeting of S^r fferdinando Gorge K^t Capt. Mason for himselfe & Jn^o Cotton, Hen. Gardner, George Griffith, Tho: Eyre for Tho: Wanerton & Eleazar Eyre, y^e greatt house & land to y^e W. of y^e Riuer to lye in Coffon, y^e land on y^e N. E. side to S^r fferdinando Gorge 3 miles beginning att y^e E. point: Hen. Gardiner 3 miles $\frac{3}{4}$ from him, to George Griffith, m^r Wanerton, Eleazar Eyre, from m^r Gardner 8 miles, wth $\frac{1}{4}$ of a mile of y^e ffalls of Newichiwannock, to C. Jn^o Mason & M^r Cotton to begin $\frac{1}{4}$ of a mile below y^e ffalls vp y^e Riuer Newichiwannock 15 miles.

A letter of Attourney ffrom Geo: Griffith, Hen. Gardner, & Eleazar Eyre to Jn^o Litlebury & W^m Thomas joyntly or either of them to recouer all lands of theirs in N. E. granted July 4th 1664: These foure persons forenamed make a

deed to Jn^o Litlebury & W^m Thomas for y^e paines they shall bee att, whereby they sett ouer $\frac{1}{4}$ pt. of all such estate & lands tenem^{ts} Plantations, shares of Land y^t appertaine to them in N. E., whether by Grant from y^e Council of Plymouth, or otherwise, & $\frac{1}{4}$ p^t of arrears of Rents to their vse & behoofe July 4th 1664

Jn^o Litlebury by a deed 29th Oct. 67 makes ouer his $\frac{1}{4}$ pt. to Tho : Lake, Jn^o ffreake & Emannuell ffryer :

Jn^o Litlebury & W^m Thomas joyne in a deed to y^e same persons to y^e same purpose 13th Majj 1668 w^{ch} deedes y^e s^d psons are ready to giue vp to this Gouvernm^t, all w^{ch} is submitted to y^e wisdom of y^e Hon^d Court.

Jn^o Leverett

Edward Tyng

W^m Davis

29. 3. 69

Petition of Capt. John Litlebury, 1669.

Cap^t Litlebury^s pet

Rec^d wth y^e magis^{ts}

& nothing due

1669

p Curiam

Ent.

To the Right Hono^{ble} The Generall Court
now Sitting in Boston

The humble peticōn of John Litlebury

Sheweth

That Whereas, the last Court of Assistance was pleased to take his sad condition into their pious thoughts, in Granting his desire, in the petition then presented, whereby to enable him to pay his just and due Debts, and to furnish

him wth necessaryes, he greatly wants, that soe he may Ship himselfe, wth m^r Clarke who intends the latter end of this month to Sett Sayle for England: Your petitioners humble motion is, That this honored Court will now at their first Sitting be pleased to impower Anthony Checkly of Boston, to Measure and lay forth, the five miles granted by his Majesty to the Adventurers, as is expressed in the Pattent which said five miles of Land, leading from y^e Old house in Little Harbour, towards the little Bores head, and that y^e said Anthony Checkly, may take out of y^e said five miles, in Satisfaction of y^r petit^{rs} fowrth part, one mile and a quarter, or thereabouts, to be disposed of by Cap^t Lake, for the vses before expressed, That Soe your petitioner, may not be disapointed of his passage with m^r Clarke,

And yo^r petit^r shall pray &c

Answer

15 Octobe^r 69,

In Ans^r to y^s peticon The Court hauing seene & perved the Returne of the Comittee & find y^r the peticoner hath not made to Appeare any Right to the lands mentioned in his peticon & knowing that seuerall parts of Portsmouth & Hampton for many yeares haue been settled on that land; Judge meet to referr the petitioner to a due Course of lawe, for recouering of his right, if he legally make appeare he hath any: and Orders the Treasurer in regard of his lowe Condiçõn to take order for his passage to England y^t he returne to his relation & for his provision by the way, the magis^{ts} haue past this their brethren the deputys hereto consenting.

Edw : Rawson Secret

Consented to by the Deputyes

William Torrey Cleric

Petition of John Littlebury

To the Honnera^{ble} Genarall Court now sitting in Boston
the humble Motion of Jn^o: Littlebūry

Yo^r petitio^r Retornethe the Honnerable Court Hūmble
Thanks for there Care in supplying mee with nessesarys
whereby to inable mee to ship my sealfe with m^r Clarke;
only yo^r peti^{er} assūmeth the bouldnes to trouble the Court
further with his sad Condision when hee shall ariue in Eng-
land. that then hee will bee altogether destitute of frends
or menes in London to supploy his wants vntill hee Can goe
to holy Island nere barwicke 240 miles from London where
hee was formerly Gouērner there yo^r peti^{or} haue menes to
maintaine him: & there heeing noe traveling into those
parts vntill May at soonest yo^r peti^{or} Craūeth this Honora^{ble}
Court will bee pleased to: order m^r Christopher Clarke to
pay yo^r peti^{or} at London tenn pounds p 40^s p month or
sooner if he can travell for holy Island for the season of the
yeare which favour if this Hono^{ble} Court please to Grant;
yo^r peti^{or} Euer be obliged to pray &c:

In answer to this pet the Deputyes Judge meete to graunt
the pet^r five pounds to be payd accordinge to his desire
herein exprest o^r Honord magis^{ts} Consenting hereto.

25 (8) 1669

William Torrey Cleric

Consented to by the magis^{ts} Edw. Rawson Secret

Petition of several inhabitants of several ffreemen of Falmouth.

To y^e Honor^d Generall Court now sitting att Boston
y^e humble petition of Seuerall ffreemen of ffalmouth

Humblie Sheweth/

That whereas Through y^e mercie of god this Towne, for
seuerall years both formerlie & Latelie lived in peace &

vnitie vnder y^r Authoritie, and haue according to y^e vtmost of our endeavours according to our oaths & engagements endeavord to maintaine y^e Lawes & priuiledges of this Jurisdiction so here by wee have procurd y^e envie & malice of manie who have lateli beene active against this Authoritie & still are desirous of a change/ wee thought wee should have sent a Deputie to this court butt through vrgent occasions of some of vs who were nott present att y^e town meeting nott thinking of any opposition against y^e same & y^e opposition of others who were present wee have sent none butt humbli commend to y^r consideration as ffolloweth:

1 That this Honord Court would be pleased to determine whether it bee this Honord Court pleasure y^t all hous holders should votte for countie officers nott being flreemen.

2 that this Honord Court would bee pleasd to take consideration in reference to y^e Township this honord Court was pleasd to give vnto vs, for what through y^e great tracts of Land some vnder pretence of pattent some vnder pretence of Indian Deeds our Township is very small if any thing, whereby wee are nott in any possible capacitie of enlargeing or increasing our Towne but know how soone wee may be shouft out of our posessions wee haue Long time enjoyd.

3^{ly} That this Honord Court would be pleasd to Comissionate some, as formerlie to bee joyned with those y^t are chosen associatts, for if all housholders vote for countie officers we doubt nott butt in time those will be chosen in these parts for officers for y^e counti in these parts y^t haue formerlie opposd this Authoritie & still would if they could & have more then ordinarie malice to those who have according to there oathes & engagements beene faithfull to this Authoritie, & have opposed the others in there former actions & present endeaunours against this Authoritie, of w^{ch} particulars we humbli craue this honord Courts Consideration &

humbli recomend you & all y^r affairs to y^e guidance of y^e
most high & subscrib Yrs to bee commanded

ffrancis Neale
Robert Corbin
George Leiuēs
Nath : Wallis
James Andrews
John Lewis
Phenthās inūm
Richard Martin

The Deputyes desire o^r Honord Magistrates would please
to giue answer hereto in the first place.

William Torrey Cleric.

The magists Judge meete to declare that in relation to
the person^s to voate the lawe directs as to the bounds of the
Touneship. It is Referred to the County Court in those
pte^s to Consider & setle and for y^e 3^d branch The Court
Resolues to Appointe one. The magist^s haue past this their
brethren the deputys hereto Consenting 10th June 1671

Edw. Rawson Secret.

Consented to by the Deputyes
William Torrey Cleric.

Deposition

The Deposition of ffrancis Robinson aged fifty two yeares
or thereabout saith that whereas he this Depon^t was a Resid^t
in Sacho in the yeare 1631, & being at a Gnaff Court held
for the province of Maine in the yeare 1643 or therabout,
at which Court there came orders from the then Lord pro-
prietor of the said province, vnto his Comissioners & the

said Court, for the bounding out severall grants formerly granted, & ptcularly for the bounding out of a Pattent granted to Capⁿe Tho : Camock, then in y^e possession of Mr Hen : Jocelyn, by vertu of which order I the said Depon^t. being then a magistrate for the said province; & John West being a Deputy for y^e Countrey, were appointed by the said Court to lay out the bounds of the said grant, w^{ch} according to the best of my skill & knowledge was done, the bounds being on the Easterly side of the River called Millnes his river, & near to the said Milnes his house on the other side of the said river, & from thence to goe to Spurwink to a marsh that lyeth vp the River of Spurwink to the said marsh being on the westerly side of the said river of Spurwink, & neer about a mile from the mouth of the said river which bounds this deponent hath taken notice of to be the bounds of the said pattent for the space of thirty five yeares or thereabout & further saith not.

Taken upon oath befor me

Sept 6 1670

Daniel Denison

This Instrum^t is Entred
in the ReCords of
the County of Yorkshire
Edw : Richworth
Recor.

19 July 71

*The Inhabitants of Several Towns to the Governor of
Massachusetts.*

S^r

Whereas yo^w are pleased, by the Subscription of some vnusuall warrants; w^{ch} by yo^r order haue Latly been trans-

mitted into our County ; to require from vs in euery Particular Towne a Liste of all our heads & estates reall & Personall w^{ch} wee are apte to thinke may bee to open a passage to Lett in a Gen^{rl} Countrey rate a mounest vs ; from w^{ch} wee humbly conceaue ourselves are Clearly exempted by our Articles of agreement haueing neither Law Costome nor President for any such practice ever since wee came vnder your Authority whose pleasure hitherto hath been to owne and declaire vs by your Honrd Commissio^{es} vpon Mature occasions to be prividgd psons : w^{ch} beeing rightly and more & fully vnderstood and in due season exmplefyd before the Honrd Gen^{ll} Court, will rathaire through their Justice & Clemency Continew our Inlargm^t then strayton vs of the Least priuillidg whereby wee shall stand more firmly In-gaged vnto your authority owneing o^r selves vnder the same to bee yo^r worships

Humble Servants

Dated 7^{ber} 19th 1671

Yorkshire

Subscribed by vs in the behaulfe
of the Seuerall Townes

Vnderwritten

George Munjoy

ffran : Raynes

Charles ffrost

James Gooch

Hen : Williams

Kittry

Yorke

Wels

Scarbrow

ffalmouth

Testimony of Richard Lockwood May 20. 1672.

I Richard Lockwood aged 40 yeers testify sayth, that to my owne knowledge I doe know that m^r Henry Greenland and Captayne Walther Barefoot they two have beene very troublesom p^{rs}ons in y^e government now wee liue vnder especially to make difference among vs to sett vs to law to y^e ruine of o^r estates. one aganst another ploddinge and contriving to wrong the povre out of these estates. w^{ch} the sayd Henry Greenland knows that the sayd Richard Lockwood hath beene a great sufferer through the vnrighteous actings of y^e sayd Henry Greenland and Captayne Walther Barefoott.

Sworne to In Court 20 May 1672

p Edw Rawson Secret

Complaint of Richard Lockwood May 20. 1672.

Richar Lockwood wth humility complaineth vnto this honorable Court of Assistants aganst Captⁿ Walter Barefoot (soe called) That he conducted A suite aganst the Complainant in the County of Yorke by Henry Greenland his then Attorney in the time of their Revolting from the wholesome safe Government of this Colony for A Debt of ninety five pounds Although the Complainant did never owe any such debt nor ever dealt with the said Barefoot for any such sume but once recived such a sume for A quarter part of a vessell he sold vnto y^e sd Barefoot, But (may it please your honors) soe it happened that by his subtilty & fraud he did obtaine A judgment aganst me the complainant for the sd sume & thervpon by virtue of an Execution did imprison his body for three months space — by which force (least his family might be ruined therby & his vessell rott for want of imployment) was constrained to give Bills of

his hand to pay one hundred pounds vnto the sd Barefoot for A discharge from the sd Execution. ffivety pounds of which is payed. And the other fivety pound bill yet standing out y^r hon^{rs} Complainant feareth to be arested & imprisoned vpon the same. Vpon the serious consideration of the premesies by your honors your complainant humbly requesteth (if possible) that your Authority may please to restraine the sd Barefoot from sveing vpon the sd fivety pounds bill vntill I have had a new tryall vpon the abovesd suite in A convenient time to be set by your honors which is the humble request of him that wisheth all happiness & prosperety vnto your honors & subscribeth himself your honors most humble

servant,

Dated at Boston the
20th of May. 1672.

Rich: Lockwood:

*Order that Towns in Yorkshire to make their several Rates.
May 23. 1672, not consented to by the Deputies.*

The magis^{ts} having perused the Instruction by this Court Given to their Comissioners in Aprill 68: & their Comissione^{rs} Returne as to the reassuming ou^r Gouvernment in Yorkshire Judge it meete to Declare y^t the lette^{rs} sent to Richard Russell Esq^r Tresp^{er} excusing themselves or denying to give the Treasurer sattisfaction in making & paying their Rates Anvally as the law Directs: are: farr from sattisfaction. & therefore order, that the seuerall Townes in Yorkshire & y^e selectmen threof are hereby required to make their seuerall Rates according to the Treasure^{rs} warrants, & to make their returnes to him for what is past & what is to Come. It being Just that they having binn vnder the enjoyment of equall priuiledges wth the seuerall

County^s & Townes of this Jurisdiction they should be liable to beare their Just^t proportion in all annuall Charges for the support of this Gouvernmt. The magis^{ts} haue past this as their Brethren the Deputies hereto Consenting.

23^d May 1672.

Edw. Rawson Secret.

The Deputyes consent not hereto but Judge meete to remitt all their former rates due to the Country or Honord magistrates Consenting hereto.

William Torrey Cleric.

Government to be Settled.

It is ordered by this Court vppon the desire of many of the Inhabitants in and about Kennebeck & the places adjacent in the Easterne pts, that some p^{rs}ons be Comissionat^d to settle Government there, the greatest part thereof fallinge within the bounds of this Collony as the lyne was last Run.

the Deputyes haue past
this Desiringe the Consent of
or Honrd magistrates hereto.

William Torrey Cleric.

To the Honoured Govern^t Deputy Governo^r with the Magistrates & Deputies now assembled in the Gen^l Court houlden at Boston the 9th of October 1672//

WHEREAS at the last session of this Honoured Court there was a petition p^{rs}ented to them by the inhabitants of Kennebeck Cape-bona-wagon, SheepsCott, Damaras Coave Pemi-quid & Monhegen therein Requesting this Honoured Court

to take them under the wing of their governm^t and which petition this honoured Court was pleased so farr to accept of as to write a letter to them giving them therein some hopes of settling a government amongst them and which letter they ordered to be comitted to me for to be delivered to Leift Gardiner and Leif^t Davys with order that they should publish the same to the said inhabitants: Which accordingly I did deliver to Leift Davys and the said letter was read publicly to the said inhabitants in my heareing: Who Recd the same with great thankfullness: manifesting them selves Exceedingly obliged to this honoured Court for their great care there in. The like I understand was done by Leift Gardiner in those parts, and there received with the like satisfaction. And the said inhabitants have desired me to prosecute their former petition at this session of this Honoured Court that they may be under some settled governm^t: ffor besides many other inconveniencies that doe accrew by the want of a settled Goverⁿ there are severall transgressors that flye away from these parts & take sanctuary there the said inhabitants haveing no powre to secure them: Severall such haveing come thether this yeare as well as formerly as is well knowne to some in this Court as well as to my selfe thus comending their Request to yo^r prudent Caire I am

Yo^rs to Serve

Richard Collacott in the name of
the above said inhabitants/

In Answer to this p^{et}. The Deputyes haue appoynted Cap^t Hutchenson & Leiu^t purchis to Joyne with some of o^r Honord Magis^{ts} to Advise with the petitio^r about the matters Contayned herein & to draw vp what they Judge necessary in answer to the desires of the Inhabitants aboue Mentioned makeing returne to the Court with refference to the Consent of o^r Honord magis^{ts} hereto.

William Torrey Cleric.

Major Dennison is Appointed to Joyne in this Committee by
y^e magis^{ts}

11 8. 72.

Edw Rawson Secret.

To the Honoured Govern^r Deputy Govern^r with the Magistrates & Deputies now assembled in the Generall Court
houlden at Boston the 9th of October 1672

WHEREAS this honoured Court at their last Session did accept of the petition of Richard ffoxwell & Richard Coñings and did order their case to be heard at the Countie Court for Yorkeshire, then following: the which the said ffoxwell and Coñings attended and the said Countie Court was upon Issuing out warrants to bring in the said defendants: one Giles Burge being there tould the said court that he was John Jacksons attorney and had powre to answer & would answer for him: And the said Court allowed him two days time before they called him and when he was called he pleaded that the Law allowed him six dayes warning: And so, Refused to make any farther answer: And since which time the said ffoxwell & Coñings have beene greatly injured by the said Giles Burge & John Jackson: in their mowing the said ffoxwell & Coñings meddowes and in takeing away their Hay to their great losse & dañage; and the said ffoxwell & Coñings have no way of Reliefe Except this Honoured Court shall be pleased to consider of some way whereby they may peaceably Enjoy their just Rights

And so have desired me to pūsent this their Condition to this Honoured Court who am

Yor^s to serve

Richard Collacot.

As to the way that is judged most meet for the issuing and determining of all Controversyes amongst them and that the said ffoxwell & Coñings may enjoy their just & proper Rights is: that this honoured Court may please to order that all the said partyes may appeare at the next Countie Court at Yorke & there make their Respective pleas: Which I leave to the judgm^t and determinaçon of this honoured Court

The Deputyes Judge meet that this Case be heard by a Coñittee vpon the place & to that end haue Chosen Cap^t Walderne & Cap^t Charles ffrost to Joyne with some of o^r Honord magistrates, who are hereby Invested with full power to Call all psons Concerned before them & to examine the grounds of all differences aboue mentioned & to make returne thereof to the next Court of Election the Deputyes have past this with refference to the Consent of o^r Honord Magis^{ts} hereto.

11 (8) 1672

The magis^{ts} Consent not hereto but Referr the peticoners to a triall at the next county Court in Yorkshire their brethren the Deputys hereto Consenting

Edw Rawson Secret.

Consented to by the Deputs

William Torrey Cleric.

*Letter Edw. Rishworth to Capt. Rich: Walden,
May 1, 1673.*

Cap^t Walden, after my respects to you,

Sir, as you may remember I motioned a busines to you about some necessary Charges due to severall prsons wⁱⁿ I

my selfe am something concernd, if it bee the Courts pleasure to consider them, relating to y^e troublesome occurrences about Henery Greenland Barefoote & others both vexatious & expencive, to the satisfying wth of their hath not been y^e least returne of any thing either to officers or others, although the Marshall yo^r Neighbour Bray hath spoken to mee diverse tymes about it, & truely I haue noe neede to Informe you y^t if there bee not just Icoragements in such cases espetially amongst us, prsons will be very slow in y^r motions, to assist or promote any publike concerne: I haue here Inclosed the Accōpt, brought in to mee by some of them onely Mr John Hooles whom I haue not lately spoaken with all w^{ch} I suppose is about tenn shillings, w^{ch} they doe desire you would bee pleased to shew vnto the Court, & If the Honord Court thinke meete to order the Treas^r of the Countrey who received Greenland^s fine in money to pay them y^r æquitable demands in the same speties, It would be very Incorageing & acceptable to y^m, as a further obligation of y^r thankefullness & service if neede required, Sir, I make bould to trouble you in the pmisses, because wee haue noe Deputy from our Town, this yeare, & If any thing bee ordered by y^e Court o^r desirs are you would take It vp in our behalves, w^{ch} is all at prsent, from yours in all due respects,

May : i 73. Edw : Rishworth/

[Superscribed]

ffor Cap^t Richard
Walden, these
Deliv^r att his
house att Chrutt-
chechah.



Henry Greenland.

An Accompt of severall psons touching charges an expences about Henry Greenland/

in or about Decemb^r 1671

Impd to John Bray for expences at his house by y ^e Marshall & others w ⁿ the Marsh ^l : Received y ^e Goue ^{rs} warrant to take Greenld	01 : 00 : 00
To the County Marshall for severall days tyme & expences in executing the sayd warrant	01 : 10 : 0
To the charges of Jo ⁿ Hoole Constable of Kittery :	00 : 10 : 0
To y ^e ReCor: for severall Entrys & transcripts about that busines,	01 : 00 : 0
	04 : 00 : 0

This Accopt given in to mee
by the Marshall Nathl^t
Maysterson this i May:
73 : as Attests

Edw : Rishworth/

The Deputyes Judge meete to allow this bill of fowre powns to be payd by the Country Treasurer in money or Honord magis^{ts} consenting hereto 17th (3) 1673

William Torrey Cleric/

The magis^{ts} consent not hereto but Referr y^e determination hereof to y^e County Court at Yorke who is to order payment if it is due as the Court directs.

Edw. Rawson Secret/

The Deputyes consent hereto.

May 19 73

John Richards p order/

Whereas Cap^t. Thomas Clarke, & Cap^t. Tho : Lake of Boston in New England M^rchants did formerly graunt vnto Robert Morgan & Mary his wife a parcell of land at Tuisset on Kenybecke riuer part of the land they purchased of Edward Bateman & ordered m^r Sylvanus Davis their At- torney to giue them a deed for the said land & bound y^e same. Now Know all men by these p^rsents That the s^d Sylvanus Davis Atturney to y^e s^d Tho : Clarke, & Tho : Lake & by their order Doe hereby giue & grant vnto y^e said Robert Morgan, & Mary his wife a parcell of Land part of that Land w^{ch} they y^e said Clarke & Lake purchased of Edward Bateman Lying & being at Tuisset on Kenybecke river, bounded on y^e south by Tuisset Gut & westwardly by Zashadohocke Riuer, & Northerly by y^e Land of the said Clarke & Lake wth part of y^e land purchased of y^e said Bateman) as shalbe laid out, & Trees mark't & hereafter mentioned & Easterly part of a Creeke y^t runs vp y^e marsh & partly by Meaguasset Bay, To haue & to hold & peace- ably enjoy the said Land to him y^e said Robert Morgan, & Mary his wife for them & their heires for euer, in as good & firme manner in euery way, as they the said Clarke & Lake hold y^e said Land purchased of y^e said Bateman wth out any molestation or interruption from y^e s^d Clarke & Lake, their heires, Executors & Adm^{rs} or any person or persons, claiming any right, Title or Interest in y^e same, by, from, or vnder them.

prouided, allwayes, That the s^d Robert Morgan & Mary

his wife, or either of them, their heires or assignes, or any of them, doe well & truly pay the said Clarke & Lake, their heires & assignes at Arrozzicke house the summe of Two shillings p annum, in corne, butter, or mony at or vpon the first day of September in euery yeare for euer, or in case any hand of Gods prouidence, preuent y^e paying the said Two shillings on y^e s^d first day of 7^{ber} then to pay y^e same on any day of y^e s^d moneth of 7^{ber}. In witnesse whereof we haue hereunto set, to our hands & seales at Arrosick house this 30th day of July in the yeare of our Lord 1673 & in the Twenty fifth yeare of his Majesties Reigne

Signed Sealed &

deliuered in

p^rsence of

H: ffrensham

Tho: Ashly Jun^r

The

marke  of

Robert Morgan

the marke  of

Mary Morgan

The Northerly bounds of y^e land aboue mentioned in this deed to be laid out & bounded is as followeth.

Begining at an Oake marked wth **M** ouer against y^e North-erly end of an Island, in y^e marsh where the Creeke in y^e marsh comes close to y^e s^d marked tree. & soe to a pine tree about Twenty Rod westerly. marked wth **M**, then to an oake tree standing on y^e Northerly part of a blacke Rocke m[']ked wth **M** & soe due West to y^e maine riuer. In witnesse whereof I Syluanus Davis haue put to my hand this

first day of August 1673 & written vnder theire deed as is
aboue mentioned

Syluanus Davis /

Signed in p^rsence of the witnesses
following who were p^rsent at y^e
marking & bounding y^e s^d land

The **I B** marke

Jn^o Buttry

L M Vons

H. ffrensham

March. 7. 166 $\frac{1}{2}$

Rob^t Morgan sels to Lawrence

Denis one halfe of my plan-
tation lying & being scituate

upon Tuesack Neck : Recorder

p Walter Phillipp fo. 49.

Petition of Inhabiters of Kittery.

The humbell Adres of the Inhabiters of the Lower de-
uision of the Towne of Kittery

Most Honouered Gouvernar ower humbell petishion to your
honour is that you would be pleased to giue vs a hearing of
ower humbell request to your honour and to Consider ower
agreuances and to haue a fartherly Care ouer vs in preuent-
ing those incombrances that hinder the Caring On of the
gospell disspencasions amongst vs which will oblagge vs
your humbell petishoners to pray for your euerlasting wel-
fare and hapines.

Honoured Gouvernar that which Mr Isack Wells at his
first coming did informe vs wase nomore but this that he
being invited by ower frend John Bray to come downe to

vs we haueing noe minister nor Scolmaster: wase at the same time coming to your honour to Acquainte you of his Intenshion of setling at Roxbury with his Kinsman and that he Accwinted your Honour of the invitashion of ower frend John Bray and desired your honours aduise in it and that your honour did parmit him to Come if he had a desire and told him he might haue 3 weeks time to see and vpon his returne he might aquinte your houour how he found the people and farder he sayd that if he had not at all Accwinted your honour with it he would not haue Come vnto vs which caused vs to giue your honour humbell thankes and when he returned from Boston when he presented your houour a Letor from vs and a note of the parishoners handes whoe did desire Mr Wells to preach vnto vs one yeer and had his asent and promised to continew with vs if he had your honours consent he informing vs of a leter writer to your honour agenst ower proseding and seuerall things agenst him & desired vs to acwite him of his Iniagement for he had noe athority to preach but would be gon if we would be satisfied y^t his Iniagement was voyed but we the in habitance of the Towne being all resolved y^t had made Choyes of him to Accwint your honour y^t he was wronged and Judged it ower duty to satisfie your honour Consarning what we had found by him did desire him to stay a while with vs and to preach & he preacht one Lords day and then kept the publick fast and preacht one Lords day more and then hering of a Leter that ffrances Hooke did pub at yourke and at great Iland and at seuerall other townes declaring it was from your honour agenst him he Left preach before he sawe it & neuer saw it but once of Late nor neuer heard ffrances Hooke Let him nor the Townsmen haue a copy of it Though he hath seuerall times promised he should haue a copy and he wase

the man that Caused Mr Thomas Wells whoe was formerly ower minister to Leaue the Towne when he had bine with vs one yeer ore therabouts and we could neuer obtayn one sene till thirow prouidence Mr Isack Wells came and preacht amongst vs which we Judge by his doctring Life and conuersation to be a pious godly Christian and Awthor-dox ore sound in his Doctring acording to the howlsom Lawes of New england nowe established amongst vs which we humbly Judge with your honours Approbasion of: may giue him freedom to teach amongst vs which is ower humbell request to your honour if you se it conuenient howeuer we comit ower selues to the prouidence of y^e Almighty and to your Christian fatherly care ouer vs as we pray the Lord to derect your houour in Althings y^t may tend to his glory and ower euerlasting hapines. Theise are the particular things which Mr ffrances Hooke hath Confessed before Magier Walldron & Mr Moody & Mr Reyner & Mr Den-nison that he wrotte to the gouernars Honour to Bouston

first y^t Mr Wells should the first Lords day preach that he had noe need of a Leter of recomendasion but he had brought one from Mr Robert Mashall.

And that he sayd in the aftour part of the day my tex wase where it was in the forenone but that he did not name it. And that he sayd that Peter & John had noe Larning nor christ neither, now in theise things he hath charged him falsly as we can testyfie whose names are here vnder written

John Bray	Robert Mendom Seleckt man
Geoarg Liscom	Mr Robert Cutts
John Liscom	John Billing
Thomas Withers	Thomas ffurneld
Eprem Crocket	William ffurneld
Thomas Terey	Mr ffrances Morgen
Henry Toocker	Nickolus Weeks Constabell
Thomas Langly	Enock Hichings

Rise Thomas	John Howell
	Digery Jeffoury
	William Dimond
	Thomas Grant
	Geoarg Liddon
	John Meredy
	Geoarge Boren
	Frances Teegy
	Rise Thomas
	Jeremiagh Gooddrig
	Christaner Michell
	Goyon Willson
	John Phillips
	Thomas Crocket
	William Roberts
	John Phenicks
	John Billing
	John Balle
	John Shepard
	Robing Edge
	Roger Derent
	Roger Dering Juner
	James Wigings

M^r Nathaniell Fryer the 21st day of October hath Acnowl-
 edged befor Robert Mendvm Seleckt man that If it be the
 honoured Gouvernars pleasur to purmit M^r Wells to preach
 here agen he shall haue his approbasion.

Answer.

Att A meeting of the Gou^l & Assistants held in Boston
 10 Nouember 1673

In Ans^r to the petition of seuerall the Inhabitants of
 y^e Lower Diuission of Kittery: The Council after perusall

of what hath bin presented to them not being satisfied, as to the abillities & fitnes of Mr Isaace Wells to take vpon him the office of a Teacher to a people: not the best able to Discerne between sound & vnsound doctrine &c doe hereby declare that they Cannot Approve of his staying among the people there for that End and Doe prohibitt him any more to preach amongst them, and that the people there may vnder stand the good desire of the Council to promote their best welfare for their ædification in the things of God they haue so farr taken the matter of their petition into their consideration as that It shall not be longe ere they shall comend an orthodox & pious preache^r to labo^r amongst them, not doubting of their readines to afford good incouragement to him that shall so labour amongst them.//

Richard. Russell, & Thomas Danforth Esq^{rs} are for that end desired by the Council to treat wth some meete & able person//

past : E. R. S :

Proposals

To the King's most Excell^t Majesty.

The humble Proposals of William Earle of Stareling: Ferdinando Gorges Esq^r & Rob^t Mason.

That whereas we are Proprietors of three of the Principall Provinces in New England & are willing for y^e seruice of yo^r Matie & the good of this Kingdome to surrender up o^r pattents for y^e same to yo^r Matie whereby yo^r Matie will haue a just right to send over one generall Governour for those three Provinces & settle a moderate governm^t sutable to y^e Condition of y^e people und^r yo^r Maties imediate Authority which will be a meanes not only to hinder the farther

incroachm^{ts} & usurpations of the Corporation of Boston but in a short time to reduce them allsoe under yo^r Ma^{ties} immediate Governm^t & very much to y^e profit of yo^r Ma^{tie} & People there

In Consideration hereof & of the great Sumes of mony Expended by o^r Ancestors in planting Peopling & improueing the Countr doe only humbly desire New Grants from yo^r Ma^{tie} of one third Part of all y^e Customes, Rents Fines & other Profits which shall be made in y^e said Provinces, or such other reasonable Compensation in Leiu thereof as yo^r Ma^{tie} shall thinke fitt. Rob^t Mason

At Whitehall this 20th day of March 1673

It is his Ma^{ties} Pleasure that these Proposals be referred to the Lo Com^{rs} of Forraine Plantaçons to consider of them & make their Report with w^t convenient speed they may to his Ma^{tie} who will yⁿ further declare his Pleasure

H: Coventry

Court at Pemaquid, &c.

At a courte held at Pemaquid 22 July 1674 by Major Tho: clarke Humphry Daue: Rich^d Collicut, and Lef^t Thomas Gardner according to commission and order of the Generall Courte of the Massatusets collony, Dated in Boston in N: E: 27 day of May 1674
coppie where of is here recorded —

Boston in
New England

(Seale)

John Leueret

At a generall court held at Boston vi day
of May 1674

In pursuance of an order, at the general
court in October 1673, It is ordered that
Major Th^o Clarke, m^r Humphry Daue
m^r Richard Collicutt, and Lief^t Tho^s
Gardner, or any two of them whereof
Major Th^o Clarke to be one are fully
hereby Impowred, to repaire to Pemma-
quid, Capenawaghen Kennebec: &c. or

some one of them to the eastward, or there or some one of
those places to keep a court as a County Court, to giue oaths
to the constables, there appointed, as allso to appoint and
Impower, meett persons, Inhabitants there to such offices,
and places as far as they be, within the lyne of our pattent,
according to god and the wholesome lawes of this Jurisdiction
that soe the way of godliness may be encoredged and vice
corrected, And it is hereby farther declared, that the Gen-
tlemen aboue mentioned, shall be and here by are Impowred,
to Appointe commissioners courts, for the ending of small
causes, which commissioners shall haue magistraticall power
in marring such as are duly and Legally published according
to law, as allsoe to punnish criminall offences and the county
court is here by impowred to settle the Militia in those
places, and in all places, where there are not fremen, they
may make use of any fitt men provided they haue taken the
oath of fidellity, any thing in the law to the contrary not
withstanding

By the court E^d Rawson

Humphry Daue, Richard Collicutt, and Leift Tho:
Gardner, tooke theire oaths according to Law.

Leift Th^o Gardner is appointed treasurer, as county treas-
urer, from Kennebeck eastward within the lyne, which many

of the Inhabitants desireing, may be called the county of Devon, this court confirm the same or take farther order.

The inhabitants, of the severall places in this county, haue been warned, and a considerable company appearing, the court caused the comission and order of the generall court, aboue said to be publickly read :

Richard Oliuer, of Monheghen, is nominated and appointed to be, recorder and clarke of the courts of this county, who took the oath accordingly.

Thomas Humphries, cunstable at Saggerdehock, and Kennebek: Robbert Gammon, of Capenawaghen, William Walters of Dammeralls coue John Dolling of Monheghen, tooke theire oaths as cunstables allsoe Th^o Cox of Pemmaquid : tooke his oath allsoe.

The Grandjurimen tooke theire oaths allsoe, according to law for their seuerall places as followeth —

Robbert Edmunds, Ambrosse, Hannevell,

John Uerrine of Saggerdehoke

John Wriford, Elias trick, John : Pride : of Dammeralls coue.

George Bickford: Reynald Kelly : of Monheghen

John Cole of Pemmaquid.

The Constables & grand Jury men aboues^d tooke the oath of fidelity (only John Pride tooke his oath at Salem) as alsoe thes psons following present Inhabit^{ts}

Captⁿ Edmund Pattishall m^r Iekabod Wiswall, m^r Richard Oliver, W^m Bickford Edward Barton Rich^d Hill Henry Curts ffrancis Brown, Rich^d Warren : henry Stoakes : W^m Denbo Edward Dorr Jn^o Dare Geo : Burnett: Nic^o Osburne Tho : Parker David Oliver Emanuel Witchalls Jn^o Cock : Tho : Phillips : Tho : Helman Nic^o Carary : Jn^o Parker : Nic^o Den-

ning : Abel Haggeridg : Edward Cole : Jn^o Wildgoose Tho : Parnell : Aaron Beard : Greggory Langsberry ; Abra : Clarke Tho : Coxe Jun^r : Henry Curtis Jun^r : Shadrick cox : Richard cox : Rich^d Pearce Jun^r : Robert Cawly Tho : Adger : Richard Bradaway : Rich^d Bucknell : W^m Edwards : Tho : Cox : W^m Waters : W^m Welcome : Jn^o Bessell : Peter Collins : Rich^d Glass. Tho^m Phillips Hen : Palmer Jn^o Palmer Jun^r Phillip Brye : W^m Phillips : Jn^o Stover : Jn^o Palmer sen^r : Rob^t Edmunds : James Widger : Tho : Haels : Jn^o Gingden : Nic^o Val-lack : Jn^o Selman : William Trout : Nic^o Heale : Geo : Bucknell : W^m Cox : Th^o Cox.

The Constables of each place in this County were ordered to call the Inhabitants togeth^r and to Read or cause to be read the lawes of this Juyisdiction vnto y^m in Convenient time.

Administration to the estate of John Walter a fisherman somtymes Resident at Monheghen & sometymes at Damerells coue who dyed about four yeares since is granted to Geo : Burnett Resident at Monheghen who is to dispose of the same according to the clearest testimony of, and to whome y^e Estate doeth belong & to bring in an Inventory of the same to y^e next co^mmission Court, heere, & himselfe as principall & Rich^d Oliver as Suerty doe bind themselues in fifty pounds a peece that this Order shallbee attended & pformed.

These psons ffollowing are Nominated & approved as Sargeants & Corporalls to Exercise Millitary Discipline to y^e Inhabitants in the severall places according to law ffor Sag-gadehock & Kennebeck Tho : Humphryes Sargeant & James Middleton Corporall.

ffor Damarells Coue & Hippocras. Jn^o Bessell Sargeant & William Trout Corporall. ffor Monheghen John Dolling Sargeant & he to choose his Corporall there.

ffor Cape bone Waggon Rob^t Gamon Sargeant & to choose his Corporall there.

Lieftenant Tho: Gardner is appoynted & Impowred to haue y^e Co^mmand & Regulation of all the Millitary forces & of y^e affayres thereof in the severall places of this county and p^tcicularly of Pemyquid.

Lieftenant Tho: Gardner of Pemaquid: Captⁿ Edmund Pattishall of Kenebeck, Jn^o Palmer Senior of Monheghen & Rob^t Gammon of Cape bone Wagen are appoynted and Impowred by this Court as Comission^{rs} for y^e yeare Ensuing and they or the Major parte of them to hold & keep Comission^{rs} Courts in such places and as often as they shall see Cause within this county of Devon for y^e Ending of Small causes according to law, who alsoe haue magistraticall power in marrying such as are duly & legally published according to law, as alsoe to punish Criminall offences according to the p^tcicular Order of the Generall Court Dated 27 May 1674 in boston

These persons ffollowing are chosen to be Clarkes of the Writs in severall places viz^t

In Saggadehock & Kennebeck Tho: Humphryes

In Monheghen Richard Oliver

In Damerells Coue William Walters

In Capebonewaggon Robbert Ga^mon

Thomas Humphryes is nominated & appoynted Marshall for this County of Devon who is to take charge for securing Such persons to be committed to prison, according to law, and to receaue the fees allowed prison keepers by law or Custome.

The persons following are appointed & haue liberty to keepe houses of publique intertaynmente & are to be pro

vided with permits &c accordingly and to retayle beere wyne & liquors in y^e severall places for the yeare Ensuing according to Law

ffor Monheghen Jn^o Dolling

ffor Saggerdehock & Kennebeck William Cock

ffor Damerells Coue John Wriford

ffor Capebonewagon Edward Barton

ffor Pemequid Jn^o Cole alsoe Lieft^t Gardner

to his fishermen & Jn^o Earthy

ffor Corbin Sound George Bucknell

It is Ordered That warrants be issued out for y^e levying of twenty pounds vppon the Inhabitants of this county for Court charges, Law bookes, Constables Staves &c viz^t vpon Saggadehock & Kennebeck four pounds vpon Monheghen five pounds x^s vpon Cape boue Waggon three pounds x^s vpon Dammerells Coue & hippocras five pounds, & on Pemyquid 40^s and that the Comission^{rs} where any is with the grand Jury men and constable in each place shall equally Levy the same on y^e p^{so}ns & estates of y^e Severall inhabitants to be collected by y^e Constables & delivered to Lieften^t Tho : Gardner treasurer of the County.

Humphry Davie p Order/

Haueing understood of the departure and departinge of seuerall persons from the towne of falmouth Thereby Weakening the place and discouraging of those who are better minded : and the incoragment of the Comon Enemye to distroye and burne whatsoever and whosoever they can take aduantage against: And haueing order from the Major generall to Laye Comand upon all the people in the countye of yoark not to Leaue places or townships: and doe therefore order and declare: that all persons are hereby prohibited from goinge outt of there owne towne to anye other

place to inhabitt in: And alsoe all masters of boats and greater vessells: are hereby required in his Majesties name not to take awaye or transport awaye any people from falmouth upon their perill as they will answer the Contrarye.

Dated Octobe^r: 6th 1675 this order is to be published speedilye to and in the Towne of falmouth: Leiu: Ingerson being requiered soe to doe.

Richard Walden Serjeant^t
Major

List of men departed the Garrison at Falmoth

Left: George Ingersell
John Wales
George Ingersell Junio^r
John Skillion
Joseph Ingersell
Hen: Williams
Sam Ingersell

James Andrews Seno^r
James Andrews Jun^r
Richard Short
Richard Pousland
Samuell Andrews
John Rider
Gerom Black
Elis Oakman
And: Augur
Matt: Augur

To the Hono^ed Gov^r & Councell

The Petition of Nathaniell Wallis of Casco

Humbly sheweth that his wife and famaly are now here in Boston: and that he is returning againe to Casco to his hab-

itation and doth intend to continue there and by all meanes according to his ability to Endeavour the Security not onely of his owne propriety but of the whole plantation: And therefore he humbly requests the favour of yo^r Hono^rs to grant yo^r Petitiono^r Liberty to bring one freight of Corne and Provision from his habitacõ to Boston for the releife and supply of his wife and famaly haveing not here any thing to purchase it

So shall he for Ever pray for yo^r Hono^rs Prosperity &c

Att A Council held at Boston the 15th of October 1675

In Ans^r to this peticon the council Judgeth it meete to Grant the peticõne^r his Request so as he Goe & Abide on the place & be as helpfull therein as he is able.//

past by y^e Council

E: R: S:

Country Rates to be raised in Yorkshire

Att a meeting of y^e Council 18th Janly 1675 It is Ordered that the Tresurer of y^e Countrie Issue out his warrants to y^e seuerall Select men of the seuerall Townes in Yorkshire forthwith according to law to make & Rayse 9 seuerall Country Rates (as haue binn Raysed in y^e Collony for Defraying of y^e charges of this warr) & the Rates so Raised to be speedily collected & payd into the Treasurers of that County. w^{ch} y^e Treasurer of y^e Country shall nominate & Appoint.

past E: R: S.

It is Ordered that the Comittees of militia in the Townes & County of Douer & Portsmouth shall & hereby is Required & Impowred to make nine seuerall Asseassments or Rates on y^e Inhabitants thereof according to law towards

y^e Responding the charges of y^s warr to be Collected & speedily paid in to y^e Treasurer of that county to Ans^r the end of the said Comittees & be disposed of accordingly. And the Comittees of militia^s are by themselues or their order to Auditt all accounts of y^e chardges expended in this warr.

Benja Wellington^s man Imprest by Cap^t Park^r & comittee of militia in Groaten is Releas^t & they are to be sent for to Ans^r it being Illegally prest//

E. R. S.

1-st

Remember majestaticall power in Yorkshire i e to m^r Jocelyn Capt Scottow m^r Wheelwright & Cap^t ffrost

E. R. S.

It is ordered that major Thomas Clarke in the morning disband Capt Gillam & Company Returning to y^e Capt thanks of y^e Council for his & their readines.

E. R. S.

The Council is Adjourned till 20 Instant at 3 of: the clock//

The Severall Inhabitants of the Towne of
ffalmoth to the Right honourable gov-
ernou^r and councill sendeth greetinge in
our Lord god Everlasting. Amen

That Wheras itt was your Worships pleasur takeing Care for our good to receiue us under your government which wee desire for Euer humbly to Acknowledge; as a great favor first from god and also from your selues; trusting still that

yow will haue y^e Like care of us now in these trovblesome times as yow had then ;

And y^e honourable County Court was pleased to grant forth a Comission unto George Ingersell senio^r as a Leuiftenant for the well ordering and trayning up of young souldiers in Millitarye dissipline which According to his best skill, he did performe, in times of peace, but now in times of troble and warr hath Left us under a pretence to adress himselfe to your honours ; which we all know to be y^e Least moueing Cause of his departure ; understood by his discours and practice here, Therefore wee doe desire if itt be your worships pleasur that you would please to Call in his Comission and that for these reasons

: 1 : first because he is not a man of Courage or warlike Spirit.

: 2^{ly} : That his timorousnes and cowardize has occationed the Loss of many mens provitions ; when otherwise it might haue been saved ; by which many of us are Like to want ;

: 3^{ly} : That by his discouragement of our people has occasioned many mens departure out of our Towne : by which we are Left very weake

: 4^{ly} : That when he receiued a Comission from Major Walden to issue forth with a partye of : 60 : men did not pro-seede : therin after the Common Enimie as oppertunitye did present

: 5^{ly} : That when your worships were pleased to send an order by m^r Munjoy for the setling of a Comittee of melitia with us : for the well ordering of our Millitary affairs ; Affirmed that it was nothing but for perticular mens interests to the discouragement of many.

: 6^{ly} : because he knows not what power belongs to a man in such an office ; or at Least not willing to Excecute itt to the breedinge of Many disorders.

These and Many other thinges might bee Alledged : but your worships know ; that these things are not fitt for ; nor

become a man that hath the Charge of a band of souldiers ;
 & Espetiallye in these times therfore we humbly request that
 you would please to sett such ouer us that may be a man of
 Courage that we may not be Led along as sheepe to the
 slaughte^r ; the best that we know amonge us is our Ensigne
 Anthonye Brackett to whome if you pleas to grant a Comis-
 sion ; we question not (by the asistance of y^e almighty) the
 distruction of manye of our Enimes.

Soe Leauing yow to the guidance and direction of
 Almighty god we humblye Cease your worships in al
 Abounden dutye to be Comand ; and to subscribe our names
 one the other side this : 2: day of fabruary 167 $\frac{3}{4}$

John Munjoy

Thomas Brackett

Thadeus *T^c* Clarck his Mark

Lavance *X* Daus his Marke

Denis *+* Movoah his Marke

Sampson *S P* penlye his Marke

Daniell *W* Waklye his Marke

Joell Madeford *I* his Marke

Bartho Wallis

Humth Rorham

Thomas hues *T* his Marke

Ralfe Turner *D* his Marke

Samuel grensled *D W* his Marke

Anthony Walden *+* his Marke

Robert Stanford *J* his Marke

John *I W* Whitfoott his Marke

Timoth *TS* Sparill his Marke

Philip Lewis *PL* his Marke

Thomas Clayes

Thomas Skillion : *TS* : his Marke

Cap^t Champernowne &c: to the Kings Comin^{rs}/

Hono^{ble} S^{rs}

From what we do understand p Cap^t Richard Thirston, the indefatigable purposes of Our Imperious neighbours of the Massachusets, are still kindling the pursuance of their owne ressolved designes, & as we conceive, as neare as may be the dissolving of his Mat^{ies} authority settled amongst us, a way, we feare as remote from their owne good, as our present place, which the rather moveth our now application to your Honours. if opportunity serve for some direction: a line or two to our selves from your Honours would be very acceptable, to the people, usefull by preventing perhaps of their suddaine affrights into disorders.

Wee are informed that a gen^{all} Court order hath resolved some of our liberties under restraint, whereunto we cannot be free, unless force over rule us, that our adversaries should be our Judges./

Wee hope our duty to God, Allegiance to his Mat^{ie} shall ever ingage our best indervours faithfully to maintaine his Mat^{ies} authority amongst us, so long as we are able, as now settled. If might overpower us we must be content to suffer, till his Mat^{ies} pleasur, & authority be further understood; and better, both by our neighbours, and our selves.

Not further to presume at present to intrench upon your

patience, not forgetting to render your Honours many thanks, for your care, & pains amongst us, we take leave to subscribe ourselves

Your Hono^{rs}

Very humble Servants

Francis Champernowne

Edward Rishworth

Edward Johnson/

Endorsed.

To the Right Hono^{ble} S^r Robert Carr K^{nt}
& Samuel Maverick Esq^r his Ma^{ties}
Comissioners. these present,
at Boston or elsewhere/

*End: A Copy of a letter out of the Eastern
parts from Cap^t Champernowne, M^r
Rushworth &c: a litle before S^r Rob:
Carr went into those parts./
N^o 9:*

Cap^t Champernoon, E: Rushworth, E. Johnson,
signify to S^r R. Carr &c: / That y^e Massa-
cusets are shakeing hands wth their Allegiance
That they are very ill treated by the Gen^l Court:
& his Ma^{ties} authority is infringed./

From Dr. Pell's Letters and Papers.
Mus. Brit. Plut. CVII. D. 4279.

Right Honorable,

I was at Boston in the Massachusetts Colony when Mr John Pell arrived there. By whom I had the great favour of your Lordships letter. He came into that Harbour very opportunely for the expedition of his business; For one Mr John Bankes a neighbor of Mr Thomas Pell deceased, and one of those whom he had intrusted with the estate was in a Vessel of Fairfield (the place where Mr Pell had lived) returning thither; and met the ship coming in, & came back with Mr John Pell to Boston; where I spake with them both; & upon the reading of your Lordships letter, informed Mr Bankes, that I had full assurance from your Lordship, and divers others, that the person there present, was Mr John Pell & he to whom Mr Tho: Pell, deceased, had given his estate. And that very day Mr John Pell imbarqued with Mr Bankes and sailed towards Fairfield, carrying also with him my letters to the magistrate and others there, certifying the same to them concerning him, with desires of all good loving respects to him and their helpfulnesse as his occasions should require, and that order might be taken forthwith for his quiet possession of that Estate. I haue heard since of his safe arrival and welcome there; and that he hath accordingly the possession of the lands and houses and goods to which he had right, both at Fairfield and Westchester, which is a place neere New York, where his Uncle had also a considerable plantation, with good accommodations belonging to it.

My Lord, the relation, which I am now presenting to your Lordship, is of a very strange and prodigious wonder, this last summer, in this part of the world; That the like hath been knowen for the whole manner of it I doe not remember that I have read or heard.

There was an hill neer Kenebunke River, in the province of Meane (the Eastern part of New England,) which is re-

moved out of its place and the bottom turned upward. The time is not certaine when it was done ; But that it is so, is very certaine, And it is concluded by those who live neerest to it, that it was removed eyther the later end of June, or the beginning of July last. The relation, which I haue from credible persons concerning the manner of it, is this, viz: that the Hill being about eyght rodde from Kenebunke River side, on the west side of the River, about foure miles from the Sea, was removed over the drye land, about eyght rods or perches, and over the tops of the trees also, which grew between the hill and that River; leaping, as it were over them into the River: where it was placed (the upper part being downward) and dammed up the River, till the water did work it selfe a passage thorow it. The length of the hill was about two hundred and fifty foote: the breadth of it about fourscore foot; the depth of it about twenty foot. The situation of the hill, as to the length of it, was Norwest & Southeast. The Earth of it is a blue Clay without stones. Many round bullets were within it, which seeme to be of the same Clay hardened. I have not yet seene that place my selfe, but sent purposely to inquire into the truth of what had beene reported concerning it. And had this relation from Major William Philips, who dwelleth not farr from the place; and Mr. Herlakenden Symons who went to the place, and tooke very good notice, and brought me the same report of the truth and manner of it, which I had before received by a letter from Major Philips, in answer to my letter of inquiry; and told me that the earth of the hill did not lie between the former place of the hill & the river; but was caried together over the tops of the trees into the river; which seemes to be as if it were blowne up by such a force, as caried the whole body of it so farr together. I had fro them some few of those round bullets. I think there were but two or three and some pieces of the earth in other formes, which were found upon that now upper part, which was before, the lower, or the inward bowells of that hill.

As also a small shell or two of a kinde of shell-fish ; like some shel fish commonly found where the sea floweth ; but how they should be within that hill, is strange to consider. I have sent all that I had thence with other things to the Royall Society for their repository. I understand also from some of those parts, that there was no notice taken of any Earth-quake about that time, nor did I heare of any in other parts of the Country. I give your Lordship the Relation only of this Prodigie, as I had it upon the best inquiry I could make ; leaving the Discussion of the natural causes which might concurre ; A matter too hard for Man to comprehend. But the power of His Almighty arm is herein manifest to all, who weigheth the hills in a Ballance and at whose presence the heavens drop, the hills are melted like wax, Sinai itself is moved. I hope to haue opportunity to see the place, and if any other matter considerable open my observation or further inquiry shall appeare, I shall be obliged to give your Lordship further account thereof ; and for present, am bold humbly to subscribe my selfe

Right Hon^{ble}

your Lordships most obliged

Boston Octob: 11.

humble servant

1670

John Winthrop.

Right Honourable

The signification of his Majestyes Pleasure in his gracious letters of the tenth of March last we receivd the tenth of this Instant by the hand of Mr Edward Randolph in whose presence the s^d Letter as also the Petitions of Mr Gorge & Mr Mason were the same day read in Council according to his Majestyes comānd, whereby we have receivd a full Demonstration of his Ma^{tyes} gracious favour & Justice in Imparting the Matters of Complaynt against us & thereby also a further obligation to all Dutifull observance & attendance

to his Majestyes Commands, & although at present the heavy pressure of the Indian warre together with an epidemicall sickness do Impeed our Conveening the Generall Court with whom according to our constitution by pattent it Lyes to Make answer to the s^d Complaynts, which we doubt not but with dutefullness & Dilligence will by the first opportunity be attended yet we thought it our Duty by this Conveyance to let his Majesty by your Houn^r understand as well the receipt of the s^d Letters & petitions as also that the Matters of Complaint Contayned in the s^d Petitions as referring to this Colony are Impertinencies Mistakes & falshoods the proofs whereof we Doubt not but to Make out in our more perticular Answer,

Though we Deny not but that not by any force as is suggested but by y^e Just & playn extent as we humbly conceive of our Patent Lyne & also upon the earnest solicitation of the Inhabitants there those Northern parts being then wholly deserted by the present Claymants, are now under his Majestyes govern^t here in this Collony established.

The whole Matter we fear not to submitt to a Just & equall determination not Doubting of his Majestyes clemency & favour therein.

Sure we are much trouble & charge hath been contracted to Mayntain Justice among them besides Much expence of Men & Money for their Defence In this Indian warr we are very well assured that as we are a govern^t constituted by y^e charter of his Late Majesty of happy Memory Confirmed & encouraged by his present Majestys Gracious declaration to us especially in the year 1662 & trust we shall still be cherished by the benigne Influence of his Majestyes Justice & Goodness whose prosperity long life happiness here & hereafter hath been is & shall be the daily prayer of

your hono^{rs} Most humble servants

In the name of the Council

Dated in Boston. 13 June. 1676

E R S.

S^r

The Honoured Go^dno^r sending for me & Going to him early this morning; Required me to signify to yow that late last night he received a letter from m^r Randolph the Import whereof he Judgeth fitt for the Council at their ordinary Adjou^rment seccond day next at one of the clocke being 26 Inst to Consider of & Conclude the necessities & sooner there cann be no convention. & therefore desires & orders a Convention of the whole Council at that time or on y^t day aboue mentioned for y^t and wch time & place yo^r presence & Assistance is desired & expected wth out fayle. not doubting of yo^r Readines to se^rve God & the Country herein.

After the presentation of my se^rvice to yow & yo^r Lady remajne

S^r

your Assured freind & humble Se^rvant
Edward Rawson Secre^t By
ord^r of the Go^dno^r &c

Boston 24 June 1676

Council's Answer to M^r Randolph's Letter.

S^r

your tre directed to the Gov^r dat. 23^d instant, wee haue pvsed and do somew^t marvell both at y^e wording & y^e import thereof, you may remember y^t such was o^r care not to be justly accused of neglect in any kind, that whereas wee receiued his Ma^{ties} tre on y^e 10th of this instant conteyneing his co^mmands to vs, the same day the Council being assembled, in observance thereof you were admitted into y^e Council & the Gov^r read his Ma^{ties} tre in yo^r presence, & caused y^e Secretary at y^e same time to read the Petitions

of m^r Gorge, & m^r Mason and on y^e 15th day next following, yo^r presence was craved again and in full Councill were acquainted, that wee had drawne vp o^r ans^w^r in a letter directed to one of his Ma^t^{ies} Secretaryes, & then tendered to deli^u y^e same to you, in case you were ready to depart hence, but if otherwise wee would take care to send the same by y^e first opportunity, & to yourselfe we would deli^u a duplicate thereof, on notice given of yo^r departure, your ans^r then was y^t yo^r occasions called you not home at present, & seemeing to acquiesse in w^t had been expressed, you tooke leave of y^e Councill, and since then a good opportunity p^rsenting wee haue sent away o^r tre directed as aboves^d to one of his Ma^t^{ies} principle Secretaryes.// now why you should expres yo^r dissatisfacc^o, by saying you continue to require an ans^w^r, whereas you haue seene o^r care to make speed therein, not omitting y^e first opportunity (although you cannot be ignorant y^t such are y^e daily Emergencyes, & encumbrances of y^e Councill for y^e carrying on y^e p^ut Indian warr, our forces being now in y^e wildernes, & do need daily advice & recruits, & y^e enemies rage so violent, as threatening daily further incursions upon o^r frontier Townes, as might well crave more candor then you have yet exprest, & a favordable construcc^o of any seemeing delay.

Now although wee would not take notice of effie disrespectfull or unsutable expressi^o by you dropt either verbally, or by yo^r pen, yet wee would haue you to be well advised, y^t as y^e Gov^r on y^e reading his ma^t^{ies} tre acquainted you, y^t wee thankfully acknowledged his ma^t^{ies} gracious respect & tendernes therein expressed to these plantations, therein greatly tendring y^e peace & tranquility thereof, yet for yo^r Mandamus's imposing upon & requireing of y^e Gov^r & Councill to attend yo^r owne injunc^on, & to make ans^w^r in a divers mann^r from w^t his ma^t^{ie} haue co^manded vs, wee must plainely tell you that wee Judge you haue & do therein exceed yo^r message and do advise you y^t you so demeane

yo^rselfe, as not to be found either slighting or irregularly imposing upon his Ma^{ties} authority here established./

By y^e Council Edw. Rawson Secret

26 June 1676 past
as an Answer to his. Dat 23 Inst//

*Warrant for General court to assemble relative to the claims
of Gorges & Mason.*

To y^e Constable of B.

In his ma^{ties} name you are required to give notice to y^e ffremmen of yo^r Towne to meet, & signifie to them, that the Gov^r & Councell haue receiued a tre from his ma^{tie} relating to y^e claymes of m^r Gorges & m^r Mason, to Hampshire & y^e Province of Mayne & other things therein mentioned, requireing an Answ^r to be made thereunto. In observance whereof the Councill haue ordered the convening of the Gen^l Court at Boston the 9th day of August next at nine of y^e clocke morneing to consider & Consult thereof. In pursuance whereof they are to send y^r deputyes, as y^e Law directs: making yo^r Returne to y^e Court & not faile. Dated in Boston 10th July 1676//

E R S

y^s was Read & Approved in Council at y^t time.

Ordered that Cap^t Jn^o Richards m^r Tho. Deane & m^r Jn^o Vsher shall & is heereby appointed & Impowred as a Committee for the Army:

Question proposed to the Reverend Elders.

Quest.

Whether the most Expedient manner of making Answer to the Complaints of m^r Geor & m^r Mason about the extent of our Pattent line be by sending Agents or Atturneys to mannage the same: /

The magist^s haue voted this to be the question to be proposed to the Reſund Elders for their resolute their brethren the deputyes hereto consenting //

Edward Rawson Secret.

9th August, 1676

Answer of the Reverend Elders.

The Answer of y^e Elders to y^e Question ſposed to y^m by y^e hon^d General Court August 9 (76) Quest: Whether y^e most expedient manner of making answer to y^e complaints of M^r Gorges & M^r Mason, about y^e Extent of o^r Patent-line, be by sending Agents, or Atturneyes, to Answer ye Same, or to Answer by writing only? Answ^r It seemes unto us y^e most expedient way of making answer unto y^e Complaints of M^r Gorges, & M^r Mason, about y^e extent of o^r Patent Line, to do it by appointing Agents, to appear, & make Answer for us, by way of information at this time, & in this Case; provided they be wth utmost care & caution qualified as to their Instructions, by, and according unto which They may negotiate that affair, with safety unto y^e Countrey & with all duty, & Loyalty unto his Majesty, in y^e p^rservation of o^r Patent-Libertyes;

Our Reasons are

1. The justice of his Majestyes Co^mmand, requiring us to give o^r Answer in this way, And to send an Answer in

writing only, we know not but some may interpret it to be a non-observance and contempt of his Majestyes Command. The rightfull cōmands of political Fathers ought to be obeyed for conscience sake, Rom. 13. 5.

Titus 3. 1.

2. The Justice of o^r Cause; which we ought by all Lawfull means, & wayes to maintain. Judges 11. 14. &c:

3. It is doubtfull unto us, whether an Answer in writing only, will, or may be accepted as any answer at all, as the case now stands, or whether it will be credited, while we shrink from it, by o^r not imploying Agents, limited as aforesaid.

4. Lest o^r non-appearance should gratify & give advantage unto our Adversaries to proceed unto y^e obtaining of a determination against us.

5. The successful service which former Agents, thus imployed, in way of information, have done for us, and Gods blessing upon us in the improvem^t of this medium in times past.

6. We understand that o^r friends in England judg it both expedient, & necessary.

7. Agents can most readily & fully answer all Objections, & complaints of m^r Gorges, & m^r Mason, in this p^rs-ent Case. Nor can our pleas and Arguments be so pointed, & pursued against o^r Adversaries, as o^r Case doth require, but by Agents.

Finally. Some may interpret o^r not imploying Agents to answer as aforesaid, that we are afraid to appear in our own defence personally.

This Answer of the Reuerend Elders was presented to the Go^vino^r & Generall Court the 10th of August by M^r Tho. Cobbett in the name of all the Elders p^rsent w^{ch} was 24.

as Attests Edw Rawson Secret

In order to the Answeringe of his Maties Letter, and the two Petitions of Mr Mason and m^r Gorge, relating to our Pattent Lyne, *and other clamours*, it is resolved This Court doeth Order, that A Committee of both houses, be appointed to make an Answer to his Maties Letter, as alsoe a full, & large Relation, & Declaration of Case (relating to these Petitions *and every perticuler therein Specified*) Insert therein, all evedences, & testimonyes vppon oath, that may bee obtayned, for cleering and proving all our allegations, and Assertions, therein Contayned; and that in order therevnto a comission be graunted vnto Meete psons to Examine Witnesses & take there depositions; that the said comitteee doe alsoe draw yp a Letter & Instructions to some Meete pson in England, vnto whome wee may send (by some fitt pson hence) the *letter*, to his Matie and our Answer to the petitions as aforesaid, Ordering, and desiring him to deliver the same to his Matie accordingly, and to appeare, and make Answer for us By way of Information as y^e case may require, * and further that this Court bee Adjourned vnto the ixth of Sept 9 a clocke to meete againe and consider of, & pfect, what the said Comitteee shall doe in order to the dispatching of the premises for England, The Deputyes haue past this in order to the Answering his Majesties Lre &c. with refference to the Consent of o^r Honord Magist^{rs} hereto 12: 6: 1676, William Torrey Cleric.

The Magistrates Consent hereto provided the words (& other Clamor) be left out & instead of Letter to his Majesty it be Inserted address to Majesty, (& the words every

* The following lines were in the document, but were erased:—

though our answer being soe full, the less need wilbee of much speaking, only if any further accusations or material Allegations, bee made against us hee may obtayne the favour of havinge tyme to make Satisfactory answer thereunto,

peticuler therein) to be left out, their brethren the Deputy-
ties hereto consenting,

Edw^d Rawson Secret/

Consented to by the Deputyes

Pet: Bulkly, Speaker/

Petition.

To the Kings Most Excellent Matie The
Humble Petition & Address of the Gov^r
& Comp^a of the Massachusetts Bay in
New England in Generall Court As-
sembled:

Most Gracious & Dread Sovereigne:

What the calamitous, & deeply distressed Estate of this
yo^r Maties Collony (in Conjunction wth its neighbours &
Confederates) labouring vnder the wofull and Tragicall ef-
fects of more then a yeares cruell, & vnintermitted warre
wth the Arrivall of yo^r Maties Gracious letter by m^r Edw^d
Randolph, Relating to y^e claymes of m^r Gorges and m^r
Mason, hath of late ben humbly informed, by the Account
given to m^r Secretary Sr Joseph Williamson to bee Pre-
sented to yo^r Royall Selfe, w^{ch} we hope hath obtayned a
Gracious Reception, and our necessary Apology therefrom
for our noe sooner yealdinge a full obedience to yo^r Maties
Royall Co^mmands, a like Acceptation. Since that time it
hath pleased Almighty God to whome vengeance belougeth
to plead our Cause against the Insolent Heathen, both by
laying a Restraynt vppon them, and thereby for a Season
giving us respit from their violent & Depopulating incur-
sions, as alsoe by making the Expeditions of yo^r Loyall Sub-
jects against them in o^r Southern and western parts soe
farre prosperous, that Multitudes of them, together wth their
Sachems, principall Counsellors & Comanders, yea Phillip

himselfe whose head & hand were first in y^e designe are cutt off & destroyed, most of y^e Remynders being forced either to submit to Mercy, or to quit their old & seeke new habitations farr remote in y^e wilderness. This singular Smile of divine Providence, gaue us fayre hopes of such a calmness, & Composedness in o^r Publique affayres, as might well suite wth o^r Intended Convening, and best further our desires & Resolution of attending yo^r Royall Pleasure signified to us: But suddainly & vnexpectedly wee are Allarum'd by y^e Irruption & treacherous villany of a new Enemy (together wth some of y^e former) springing vp in those easterne parts, concerninge which, y^e Controvers betweene us & the Complaynants agaynst us doth arise, Soe that at the same tyme when the high (though most vntrue) Imputations & vnworthy Reflexions, cast vppon us by o^r Accusers (whose confidence therein we are made not a little to wonder at) doe call us to Mayntayne o^r Title & Justifie o^r pceedings in the Court of o^r Gracious Sovereigne, we are Necessitated once againe wth y^e vttermost hazard of o^r psons & great Expence of our estates (soe deeply Exhausted before) to defend y^e liues of yo^r Mat^{ties} Subjects in those places (crying aloud for Succour) and to dispute yo^r Mat^{ties} & o^r owne possession in the dismall deserts, wth a bloody and most barbarous enemy; Yet are we Royall S^r most willing in observance of yo^r mat^{ties} Comānds (humbly craving That benigne Construction w^{ch} y^e favour of o^r Patent entitles us vnto, & yo^r Mat^{ties} Princely Candour suffers us not to doubt of) to offer o^r Pleas & produce o^r Evidences in this Matter w^{ch} being waighed in y^e ballance of yo^r Royall Impartiall Judgment will appeare (we presume) such, as will abundantly cleer vp our right to those esterne Parts to be vndoubted, according to y^e playne intent & necessary sense of y^e words of o^r Pattent, And sufficiently make it appeare, y^t o^r administrations of Government here haue ben no wayes derogatory to yo^r Mat^{ties} honor, nor prejudiciall to yo^r Royall Interest in this Wilderness, but many

wayes beneficiall, as alsoe sattisfatory to the Inhabitants yo^r Ma^{ties} Subjects vppon y^e place; Sure we are (& herein we doubt not to make o^r Appeale to y^e Searcher of hearts) That noe Intention of wrong to y^e Claymers noe vnlawfull designe of Enlargem^t of o^r borders, noe proffit or advantage thereby accruing (the Contrary whereto we haue hetherto found) but a grounded apprehension of our Interest, reall Compassion to y^e Petitioning Inhabitants in an vnsettled & suffring Condition, togeather wth a sence of duty incumbent to be faithfull to o^r Pattent trust, did cause us to receaue them, vnder y^e wing, of yo^r ma^{ties} Govern^t, in this Colony Established;

The further Managem^t of o^r defence as to these o^r pceedings Complayned of by a more full & pticuler Information & presentm^{tt} of what we haue to say for o^r Selues we haue betrusted wth m^r William Stoughton & m^r Peter Bulkley ffor whom as for o^r Selues with most humble Prostration we beg your Ma^{ties} Countenance & favour And heerein Greate S^r we are not a little Encouradged, not only by y^t new & Ample testimony of yo^r Ma^{ties} Royall Justice, manifested in Reserving an open ear for poor Subjects, at such a distance, & Princely favour in transmitting y^e Coppies of y^e Complaints, Exhibited, and affording time & opptunity to appeare for o^r defence, but alsoe by a large & long continued experience, of yo^r Ma^{ties} Gracious disposition & respect to us & o^r Concernem^{ts} that we cannot but most gladly declare, that therevnto, next vnder god we owe it, that none of those manij injurious Suggestions, vnjust Criminations, & renewed solicitations against us, by psons ill affected to o^r Constitution, & Welfare (designed to Create an Impression of displeasure in yo^r Royall brest towards us) haue not hetherto prevayled That this yo^r Ma^{ties} Gracious Aspect should suffer an Eclipse (espetially now in y^e day of o^r trouble, bespeaking y^e influence of yo^r fatherly co^miseration) we haue as little Cause to beleieve as we are humbly

Confident, we haue ever ben industriously Carefull, not to incurre y^e forfeiture thereof, but solicitous aboute all earthly things to preserue & mayntayne the same, by Approvinge our Selues

Royall Sovereigne

Yo^r Majesties most humble & Loyall
Subjects.

Testimony of James Grant.

The Testimonie of James Grant Cunstable of Yorke in the yeer 75 whoe being demanded of by the selectmen whie hee gathered not the nine Rats which they made Accordinge to the Counsels order in the yeere 75 his ansure was that hee deliuered it to m^r Edward Rishworth who tould him that hee would tacke it and suspend it at the present till thay see what the Arears of the Countie weare brought to an head and then they would tacke order aboute it and the cunstable should suffar nothinge by it.

Dated this 2 of October 1676

James Grant his

mark



Cunstable.

Answer of the Selectmen of the Town of York.

Wee the select men of the towne of Yorke in ansure vnto an Order latlie Coume from the honored Cunsel to Render a Reason whie those nine Rats made in the yeere 75 were not Colected doe impoure Capten John Davis to returne an a Count therof in relatione to the premises who was then one

of the selectmen at that time and now stands in the same
Capassitie/

witnes our hands
this 2 of October 1676/

Job Alcock/
Richard Bancks/
henerie Simson/
John Twisden/
Selectmen/

Right Hounourable/

The Gouvernor and Council calling us to meet in Gennerall Court, vppon our Comming together acquainted us with his Majesties commands of the tenth of March, receiued the tenth of June by the hands of M^r Edward Randolph, as also what return they had made to your houno^rs excusing their not so speedy calling the Gennerall Court by reason of the warre and an epidemicall Sicknes, the Lord was pleased to afflict the countrey with; and giuing your houno^rs to vnderstand, that to answer his majesties comāds, and to reply to the hard & vnjust charges layd vppon the Gouvernment of this his Majestjes Colony of the Massachusets, by m^r Gorges & m^r Mason in their petitions was most proper for this Court, The matters alleadged against us, Wee haue now had vnder Serious consideration and have made diligent Search into the reccords of what heretofore passed thereabouts, and afterwards made diligent inquiry of the Old planters yet Surviveing that were eye wittnesses & well acquainted with the transactions of those times in the beginning of these Plantations, and accordingly haue transmitted our answere with the prooffes therevnto and for his Majesties more full Satisfaction haue desired & sent our honoured & respected ffreinds m^r William Stoughton & m^r Peter Bulkeley, both members of this Court to be our Messengers to present the same to his Majestie and that they may be the better for-

warded in their application to his Majestie; We do heereby make bold to recommend them to your Honours favour and assistance, who will wayte vpon your Honours, whom you will finde able & ready to give your Honnours account of the present state of the Countrey, both in refference to the warre & Gods hand vpon it by sickness; And wee haue the greater confidence of your honors goodnes towards us heerein from the assurance you are pleased to giue vnto our Gouvernor of your affectionate inclination to Serue this poore people: Thus craueing your honours pardon for this bold trouble, wee pray for your honours prosperity and remaine

Your Honour's Humble Servants

J L/

Boston 17. October 76.

Petition of the Town of York.

Whereas by Experience we doe find it no small Inconvenience & discouragement to haue our men belonging to our owne towne of Yorke Impressed & carryed away by y^e coñanders of y^e forces or County when pursuing y^e Enemy whereby in stead of being Encouraged to stay & strengthened to resist y^e Enemy we are weakened & left naked to y^e assault of y^e Enemy who in y^e absence of y^e forces have usually & very Cunningly Improoved that oportunity to prey vpon y^e townes, for preuenting whereof it is humbly Requested that y^r may be an order giuen forth that no souldiers shall be at any time remooued least y^e people be putt vpon a temptation to forsake y^r habitations y^e dishonourableness of which is easily vnderstood.

This Request is graunted & that an order be accordingly sent to them, with this provision that the cheif commander

of the forces that shall bee may notwithstanding upon any emergency of moment comānd out of the Town of Yorke such soldiers as the necessity shall require

By the Council

William Stoughton

p order.

Vpon y^e representation of the present state of y^e Towne of Yorke & its danger from the Comon En emy. It is Ordered by y^e Council that such of their Souldiers as are now Impressed from them be forthwith returned to them for their Deffence, & it is further granted & Ordered that during y^e p^rsent neereness of the Ennemy, none be Impressed to serve out of y^e Towne:

prouided allwayes, that the Coñander in cheife of the forces that is or shall be in y^t County may notwthstanding this order vpon any suddaine Emergency, comand and call forth, as many Souldiers thence as shall be needfull for y^e time.

Dated 19 October 1676/

By y^e Councill E. R. S.

Downing's Account of Fish.

1676.

The maner of Catching and makeing drie fishe in New England.

In each boate goeth 3 men with fore sayles and mayn sayle in both 30 yards of Canvace 1 Roade of 60 fathom

4 oares made in the Countrey

A drift of the shoare the boates goe for to Catch herrings with 4 or 5 netts fastened to the boats sterne post ther netts must be in the water to doe well before Sunn sett and re-

maine if herrings enough be not taken, stormes and wind not hindering till sunn riseing some nights by reason of winds and Current to prevent driueing on shoare or of to farr from shoare they hall there netts tenn times in a night rowing to gett againe the shoare or to gett of from it many times, herrings being scarce they drive evererie night each boates Crew from Sunday night to Saturday night resting onlie in ther beds onlie Saturday night some rest not it. the dayes except Sundayes they atend Codd Catching this toile is Performed in St Johns and severall other harbors if the Captein is Taken in/ A ffish like A smelt faild of Coming according to its Custome as it did usualie seldome failing about Twentie yeeres past but since it Cometh not this Twentie years as formerlie it haith not bene as fformerlie onelie a little some yeeres in some places, it haith not bene generallie in the Harbours afore neither some yeeres when in some harbours could they Catch fish on it as before the fish either not there following it as usuall or would not take it baited: it formerlie served the fishermen for baite in many harbors to kill fish enough to make ther voyage: without using netts the Captein stayed in some of the harbours where it lest ffrequented many times six weekes and all that while great fishing, each fisher boate most dayes bringing in on thousand fishe per daye the sailing of the Captein hath made the voyages the yeeres forementioned more toilsome Chargeable for netts and greatlie lesse profitable the quantities of fishe taken, A great deale lesse sold at dearer rates by the Catchers and lesse money gott; now usualie the Current price neither highest price, nor lowest on yeer with the other 128 per Cintall formerlie 116 yett then twice the quantitie taken of to catch the Captein forementioned we send a man for each two fishing boats and with them men two or three boats with a sagne in each boate which we joyning to gether about 30 boats have our boats baited by the three boats when the Captain is Catcht they

put it aboard our boats at sea or in harbore evenings or mornings with all speed

Wee have 2 men A shoare to spilt and drie the fishe A shoare for each boate on man betwixt two boats goes for Captein three men in each boate at sea as forementioned who Ride casting out A Killecke or graples to Ride by perhaps three or four miles or lesse either side the harbours mouth, some places halfe a mile of the shoares fishing on hedges the water Twentie fathom deep on them some lesse some a little more, each man fishes with two lines, lengthened according to what debth of water, they can catch the fishe from three fathom to Thirtie odd fathom: if they fished by floats they have no Leads and about foure fathom each line, some them use each man three lines two hookes to each line baited and many times A fishe to each hooke, they Cast each man his lines on on Side the boate the other the other side if they cannot Catch fishe on floate which they ordinarie doe not then they have to each Line a Lead about 23 waight using then but two lines each man the boats begin to goe to sea as soone as the Cod is knowne Come and they readie some yeares it comes the first of Maye but comonlie the midst of Maye the best fishing comonlie in June they goe to sea till about 25th of August they bring in some dayes, on thousand fishe and some dayes more, some lesse, some dayes but litle, which the shoare men head take out the Liver of it for trayne and put in ffate for the sun and heat to melt out: afterwards toone it in Caske they spilt the fishe then salt it in piles about 2 foote and halfe high and the same breadth on A topp of the other: in ther stage which is built over the water so farr out from the shoare as A boate may come to it loaden where the boats first heave up ther fishe out of ther boats this stage is covered with Saile cloth boards or rines to keepe from the fish while in salt sunn or wett: after the fishe hath layne in salt two dayes or more as weather serveth its washd clean with water out of the salt and piled up for the water to presse

out of it: the next daye if faire weather it is spread upon stakes neare ther stage the stakes two foote high five foote broad, coverd with smale bowes or birch Lieing playne as A long table upheld by stakes, two smale rayles A crosse them smale stickes as smale as quarter staves on these stakes the fish is spread the fishe sides upward to the sunn if drops fall on it turne with all speed the Skinn side upward for if the fishe side when ffirst or second daye spread be much wett its never almost good but spoyld discoulourd and stinkes, the sun some times in hot calmes will frie the water that is in the fishe and make it as if boyled and fall all to peeeces some of it everie night or times it raynes the fishe abroade to drie, must be turned the Skinn side upward to prevent its being wett with Raine and deawes in its first dayes going abroad onlie turned at night before deawe falles, the skinn side upward the next daye turned at night & made up 6 fishes placed on upon the other skinn side upward and laid so as on fish may cover the topp of them Carring the Rayne most of the rest next day it goes abroad againe and so at night made up as afore butt more putt to gether perhapps Twentie fishes, after its being dried foure or five faire dayes the greater fish excepted because it askes by reason of thickenes A longer time of drieing, the ordinari fishe is piled at the end of the stakes in A round pile Contayning 40 Kintalls or less in shape of A haye cocke but orderlie Layd to keepe the rayne out, the head made up with on fishe so with the skinn upward laping over on other that at last on fish Covers the topp and so keepes out ruine from entering it there it stands till it sweate and become moist then it is cast abroad after its standing sometimes fourteene dayes: the moisture dried upp then piled up againe perhaps two or three of them together and piled orderlie as afore then covered with sayles and five or six dayes after as oportunitie offers spread on fflakes, bowes or beach, the skin upward after turned the fishe upward in faire drie weather

then the Loader of the fish himselfe or servants lookes over all the fish if any broken wett or ill made fish appeare they throwe it out the rest is when dried to the Loaders minde or his servants weighed into boats and Carried aboard shipp

S^r your Servant

I^o Downing/

The wett fishe or Corfishe onlie Covered over with Salt and Lett lie till saued after repact into a square pile out of the salt 3 or 4 dayes afor weighed of if opertunitie offer.

Letter from Edward Rawson to Governor Andros.

1676.

Gentlemen

Houne^{ble} S^r

It pleaseth almighty god to lengthen out our troubles with the Barbarous natives, who are daily making incursions upon o^r Eastern Places: thereby necessitating vs for their releife to send forth from time to time an additional strength with supplies: Wee haue also been lately informed of some motions of your owne towards those pts in refference whereto wee would not anticipate either yo^r intenc^{on} or acccons.

nevertheless as wee haue not been wanting in o^r endeavors to suppress the co^mon enemy, So wee haue confidence you will not do anything y^t shall in the least infringe his Ma^{ties} interest according to the li^mitts of his letters Patent to this Colony & y^t there may be aright understanding kept & mutuall amity maineteyned betweene vs, wee haue intreated o^r trusty & Hon^d ffreind, Major Thomas Clarke, one of the Mag^{ts} of this Colony to take the trouble of this present voyage, to waite vpon you & confer with you in refference to this matter, or w^t elce may be of publick vtility to the re-

pressing th' enemy & establishm^t of a settled peace to all his
Ma^{ties} good subjects in these pts.

22 June 1677 past E. R. S:

To the Hono^rble Edmond Andros Esq^r.
Gov^{no}r New Yorke
these dd̄

To y^e R^t Wor^{sh}l & much Honored
Cap^t Brockase, & Cap^t Mathias Nichols
in Any parts of the east.

Letter from the General Court to the Commissioners.

Gentlemen respected & much endeared/

The Consideration we had in your Integrity & Industry when wee putt this troublesome Imployment vpon you is not in the least abated but exceedingly confirmed by all the accounts wee have receiued from yourselves or othe^rs of your vnwearied diligence & prudent mannagement of our affaires comitted to your trust, wherein wee are fully Sattisfied; that notwithstanding the extreame Difficultyes that haue Faced yo^w in our business, yet your patience sedelous Industry & wisdom, hath to our ffull Contentment, and great admiration ouercome them, for which as wee have greate Cause to Bless God; So also (whateuer the Issue may be) to acknowledge your due deserts & our great obligation^s to you^rselues, which wee hope wee shall in some measure discharge vpon all oppertunities; wee cannot wee neede not contribute any further aduise as to your future proceeding; but doe wholly vnder God acquiesce in the as-

sured confidence wee have of yourselves and vpon the arrivall of the next ship; by which wee expect to heare further from you, shall take care to accomodate you with such supplies as the state of our affaires with you may call for: /

Your relations wee doubt not, will give you an account of your private affaires which shall not suffer in any thing that wee can help; as to the publick we Judge it not vseeless to acquaint you, that soone after our losse at Blacke point in June last, Major Andros sent a considerable partie to Pemquid, where they seated themselues in right of the Duke of Yorke, and pretending freindship and kindness for us, haue don that seruice for us as to conclude a peace with those easterne Indians & haue regayned & sent to us most of our Captives & a promise of returning seuerall vessells the Indians had surprized, the performance whereof wee dayly expect, since the said Mayo^r Andros hath signified his minde to our Council to Impose custom^e vpon all ffishermen that ffish on those Coasts &c.//

wherewith wee are vnsatisfied and are now returning our resentment thereof:

About three weeks since (when wee hoped to be at rest) a party of about thirty of the old ennemy viz^t Hadley & northampton Indians fell vunexpectedly vpon Hattfeild burnt fower houses fower Barnes some stackes of corne killed diuerse person^s & carried twenty prisone^rs men & weomen and, one of the men escaped and saith the Indians were gon vp Connecticut riuer northward, towards the ffrench, from whence they came & sayd they were encouraged & furnished for this attempt by a French Cap^t; Wee haue it vnde^r Consideration to send to these Indians and to the French to endeavor the recouery of the poore Captives and the better to vnderstand what wee may expect from those quarte^rs. Wee shall not Further trouble you, but as wee are bound shall comend you & our affayres in your hands to ou^r most gracious God, & to his protection & guidance through his

grace hoping shortly to see you heere where you will be most welcome: to:

You^r Assured ffreinds

The General Court of the Massachusetts & signed by .
their orde^r

Edward Rawson Secret/

Petition of Anna Shaply.

To y^e Hono^able Court now Assembled at Cambridge
y^e Humble Petition of Anna Shaply formerly the Lawfull
Wife and now the Widdow of Nicholas Shaply sometime In-
habitant in Charlestowne in the County Middlesex in New
England deceased::

Wheras I the said Anna Shaply your poore Distressed pe-
titioner it haueing Been this many year sence my Husband
Nicholas Shaply Deceased as may Be Well Known to some
of your Honours: and that hee Left an Estate: and this
many year myself haue been very Helpless not able to doe
anything or to help my self by Reason of age and am in
Great straight by Reason my Wanting such Necessary and
Vsefull things as I stand in Great need of as Lying Wool-
ing and other Nessessaryes which I am not able to subsist
Without But haue not moneys or wherewithall to git them
and Know not how I shall Doe for Maintainance as Long as,
The Lord shall Bee pleased to grant mee to liue in this
World: Without some of my Husbands Estate be sold ffor
my maintainance alsoe I am in Debted to my son Robert
Knight for my Diet & Keeping seuerall yeares which by a
Bill Giuen him ffrom vnder my hand will appear and hee
hath been very Carefull of me Therefore my Humble request
and Desire to this Honourable Court is that you might Be
pleased to take it into Consideration that some Course
might be taken for my Maintainance and that I might not
ffamish

Which I hope and trust you Will stand up ffor poore Distressed Widdows and Doubt not: Soe Leaving it to your serious Considerations: Beseeching and Humbly Desireing the Lord to Guid you in all actions & transactions as it is my Duty soe to doe: I Remaine your poor Humble petitioner

mark

Anna

Shaply

Letter to the Lord Privy Seal. Oct. 22. 1677.

Right Honorable

Your Lordships Compassionate regard & undeserved respect & favour to those gentlemen that on behalf of this his Majestyes Colony have been respondents to the disturbing Claims & querulous Complaints exhibited by Mr Gorge & Mr Mason against us before his Most excellent Majesty & y^e Most Honorable Lords of the privy Councill Commands our Dutifull & Humble prostration of our Selves with a Deep Sence of y^e greatest obligations to your Honor for your so great Justice & favour therein — & May we have leave to say, However ill & absurdly his Majestyes poor & Distressed subjects in these parts are represented & rendred to his sacred Majesty or other Most Honorable persons Concerned in the great affairs of governm^t (God knows our Hearts) we desire Nothing More next to Devotion towards god then to shew our Selves, though much disadvantaged by our remotion from home his Majestyes Most Loyall & faithfull subjects & are Confidently assured by our Continuance therein to find favour in the sight of his Majesty & gracious aspect from your Most Honorable Lordship Humbly Imploring that so far as May Consist with the Tenor of your uner-

ring Justice our present occasion May obtain Despatch with a full settle^t & removall of all Misunderstandings between his Majesty & us his Devoted Subjects with Infirmations of our Duty in which almighty god Assisting we shall ever continue

praying for your Lordships
Health & Hippines.

The Magist^s have past this letter to be sent to the Lord
Privy Seale their Brethren the Deputyes hereto consenting
Edw^d Rawson Secret/

22 October 1677.

Consented to by the Deputyes.
William Torrey Cleric.

Thomas Dunforth to the Secretary.

Mr Secretary,

The Comission^{rs} Acts 1675: before y^e Expedition to y^e Narrogansets, wherein is conteyned an order for y^e Massachusetts to help y^e Eastern pts in y^r exegency at y^e Publ. charge.

this is^t w^{ch} wee stay upon, & do desire you to send us, if lodged with you,

not elce.

by service & love

Tho. Danforth.

9. 6. 78.

Boston Octob^r 1st 1675/

The Comission^{rs} vnde^r standing that the Inhabitants of Piscataqua and so Eastward are vnde^r great distresse by Reason of the Rage of the Co^mon Ennimy Doe Co^mmend it to the houn^e^{ble} Gouvern^{or} & Council of the Massachusetts,

that some present reliefe may be sent vnto them, according to the present Exigent, the charges whereof, shall be allowed in the Gennerall account of the Coloñyes/

Thomas Danforth Presid^t/

In y^e name & by the order of the Comission^{rs}
That what is aboue written is a true Copy Compared wth
y^e originall so signed is Attested by

Edw^d Rawson Secret/

I vnder writt doe acknowledg y^e 13th of Septembr 1678 to haue Rec^d the originall aboue mentioned Compared also by me this copie on Request of m^r Tho Danforth one of the Comission^{rs} of y^r Colony — Sending a post for it as Attests

Jonathan Remington/

October 8th, 1678.

A returne of the com̃itte appointed by the Genll court, to consider of the matter p^esented Relating to the prouince of Mayne/

The principall question [as wee humbly conceue] touching this affaire (at p^rsent) Is Q-hether it bee best for the country, to Hold & Reteyne their interest in this prouince, or to sel & Alienate the same unto others? In Answer hereunto, the Co^mittee judge it best for the country to close in the Affirmatiue, for which they humbly offer these Reasons, with Answers to some objections to the contrary.

1 Was it not this courts order vnto our Agents to endeavour to purchase this pattent which being done accordingly, it seeme vnbecomming the Grauity wisdome & prudence of this court, to bee yea & nay in a matter of such moment & that before experience is made of any inconuence thereby

2 Because our Agents intimate in their letter^s that they Transacted this matter by the concurrent aduise of our freinds vpon the place; who yet continue of the same mind

as is certifyd by o^r Agents last letters dated in August last.

3 Because our [^{opposites}enimies] in England particul^rly m^r mason & m^r Ranolph vigorously opposed our Agents in that Bargaine & preuailed so farr as to frustrate the first attempt, this act of these o^r Il willers is an Argument of the goodness of the thing for vs:/

4 In This pattent is granted both Government & soyle & lands &c of which latter there is a considerable quantity, not in propriety of any english man, sufficient to countervale the purchase, & their is little reason to feare wee shal be deprived y^rof, because in all his maties Grants pr^rity is reserued. And as for the Gouvernement it is not impossible wee may injoy the same also by the helpe of God, hauing to doe therin with so gracious a prince.

5 It may be considered & our long experience hath giuen vs a sufficient demonstration herof, that the settlement of Good neighbours in this territory (w^{ch} matter lyes wholly in o^r hands) wilbe greatly advantageous & conducing to our future quiet, but the settlement thereof by il neighbours when it is in other mens hands wee cannot p^rvent, may poue a great trouble and affliction to vs, of which wee haue had had experience in former times.

6 This place is plentifully furnished on the coasts with good harbours for fishing & timber of all sorts both for exportation abroad & vse at home; which are conuencies that may bee Beneficiall to the publike good if prudently manged.

7 The interest y^t wee herby haue in the Ilands of Nantucket & marthas Vineyard wth a share in the 4 townes on the west of pasquataway; is to bee considered as a matter of waight. more reasons might bee added but wee forbear, & come to consider som objections.

Objection 1 It is probable our ill willers wil not bee wanting in their endeavors to incense our gracious King against vs & Aleadge y^t by this Acquisition wee aspire after

dominion & enlargement of territory wch is not for his hono^r or interst to Admitt.

Answer If his matie should receue any impressions against vs in this case, and declare his dissatisfaction — it is then time enough to Returne him such Answer as becomes Dutiful and loyall subjects/.

Objection 2 It is a great Some of mony to be paid for it & the country being greatly impoverished by the late warre, & much in debt are not in a good capacity to disburse this sume without great inconuence.

Answer 1 The some of 1250^l starling w^{ch} is the some to bee payd for it is not as wee conceue so considerable but the contry may pay it without any great determent especially considering the aduantages acrewing therby before hinted & it is very probable y^t some purchasers wil soone appeare to by some parcell of this land to reimburse the treasury of y^e country; Truly we conceue God hath put an oppertuntiy into o^r hand by this purchase of y^t prouince w^{ch} wee should thanfully acknowl^d & improue for Gods hono^r and the publike good; & not through feare of contingent euent, decline, this opertuntiy..

Ans. 2: If vpon Experience wee find it Burthensome or inconvenient for vs there is no cause to doubt (as wee judge) but wee may ease o^rselues without any da^mage to the country

3 objection In this pattent it is required that the Religion profesed in the Church of England, and Ecclesiastical Gouernment therof shalbe proffessed settled & established in & through the said prouince; This injunction may proue A Snare to vs.

Answer 1 The Religion of the Church of England, in the Doctrinall part of it conteyned in the 39 Articles, is sound & orthodox & for the substance therof is not only professed by all protestants generally but by our selues also, hence there is no reason for any good Chtian to thinke it a snare.

Ans 2 as for the ecclesiastical Gounment of England, which is established by the lawes of that land, Although in our judgment wee differ from it, yet wee must remember wee are prohibited in our charter of the Massachusetts, to make any law repugnant to the laws of England, of which lawes this is one, therfore may not make any law against it.

Ans 3 If it should happen that any of his Mat^{ties} subjects that doe or shal hereafter liue there, should profes & practise in matters of Religion According to the church of England, is there not as Good reason for vs to Admit them, that act therin not against any law made by vs, As to permit quakers and other perswasions dif- from vs, to practise their religion contrary vnto our lawes & that not in remote parts of the country but in o^r cheefest townes; They that profes Religion according to the Church of England owne Good & sound principles in doctrine & are obedient to ciuil order, But the other persuations oppose both. Therfore which are like to be the best neighbours & Subjects let Reason Judge.

Objection 4 There was an inconuenience vnto this General Court in the number of Deputies Sent from that prouince in former times which haue had to great an influence vpon our affayres; & yet the people of y^t prouince haue paid litle or nothing to suport this Goumt & being few & poor are like to do litle for y^e future for o^r Benefit & therfore wer like to bee burthensom rather then beneficial.

1 Answer The number of Deputyes in y^t County According to reason may & ought to be limited to a lesser number & according to their ability the are obliged to pay taxes as others doe; for now those priuiledges they had before by Articles are extinct.

Thus desiring the lord to guide & direct the hon^{ble} Court in the conclusion that it may bee for Gods honour & publike good we remaine yo^r Humble Seruants.

Daniel Gookin Sen/
Barthō Gedney/
William Johnson/
Jo. Wayte/

The Councill do Impower & request y^e Hon^d Dep^t Gov^r & m^r Joseph Dudley by the best way & meanes they may or can to reimburse y^e Trery the moneys disburssed for the purchasè of the province of Mayne, by Sale of the place again to such as are willing to bargaine for the same, or otherwise as to them shall seeme meet.

24: 8. 78.

past by y^e Council E R S

mo.

Province of Maine to be kept in the Country's hand.

This Court haueing in October Session passed a Vote empowering our Honrd Govern^r & Councill to improve, or dispose of the Province of Maine, by Sale or otherwise, for reimbursing what money was layd out in England for Purchase thereof. Vpon further consideration doe see Cause to recall the said vote: & Judge meet to keep the said Province in the Country's hand according to Contract made by our Coñmissioners, vntill this Court take further Order therein: the Deputyes haue past this o^r honord Magis^{ts} hereto Consenting.

William Torrey cleric/

Consented to by y^e magis^{ts}

Edw. Rawson Secret/

Grant from Sir Edm^d Andross Sept. 6, 1679.

S^r Edmond Andross Kn^t Seign^r of Sousmares Liev^t & Governo^r Generall Vnder his Roy^{ll} highnesse of New Yorke & Pemquid & other Territories in America.

Whereas Severall ffamelyes Driven from Their Howses and habitacoñs in this River, and Partes Adjacent and their said Howses, and Habitacoñs Destroyed Dureing the Late Indian Warr, Being now Resideing vpon this small ffishing Island of Saccadahoc, Above Sixty Persons where is nither Roome nor Approveable Land for their Subsistance (as also) John Vering haveing made application vnto mee Desireing a Tract of vnimproved Land vpon the Southward End of Rowswick Island: where they may settle a Township, And not struggling for the p'sent, Reserving their Rights to their former Plantacoñs or Improvem^{ts}./.

I Doe hereby in his Maj^{ties} Name Grant and Confirme vnto John Ryford, Lawrance Denis, John Buttery; Thomas Parker; John Cock, John Parker, W^m Bickford David Oliver, James Twisdell W^m Baker, Henry Comes, Hosa Mallett; John Verring Andrew Bigford John Breame, John Cole, Edward Webber James Verring, John Cock Junier, ffancis Lowd, W^m Hones, John Rely, John Bishop Lawrance Bickford, Jesper Miller, & John Moulton, and others in the Condition There Assosiates, Heires or Successers, to settle a Townshipp vpon the said Southerne End, of said Island Rowswick, Not Improved A Little above or Northward of the first Marsh or Meadow Ground vpon the Maine River or Western side of said Island, & to have and Enjoy soe much Planting or Improveable Land & Meadow on Both Sides, or about said Marsh or Meadow as they or Either of them may have Occation for and shall Improve as far Northward as a ffence Crossing said Island.

Aboute a Mile above said Place, and from said ffence Southward to the End of the Island as also Rainge for Cattle in the vnimproved, or Land or Generall Consernes of the same To be from time to Time Layd out and Adjusted or Ordered by a Constable and Overseers or Assistants; and the Generall survey^e if Occation, In Common or pticular feilds or Parcells, as may be Most advantagious and convenient for said settlem^{ts} wthout Prejudice to any of their

former rights any where Elce, And I Doe further in his Majties Name Give and Graunt vnto the said John Ryford Lawrance Denis John Buttery, Tho: Parker, John Cock, Jn^o: Parker, W^m Bickford, David Oliver, James Twisdell, W^m Baker Henry Coomes Hosea Mallett, Jn^o Vereing; Andrew Bickford Jn^o Bream, Jn^o Cole, Edward Webber, James Vereing; Jn^o: Cock Junier, ffrancis Lawd, W^m Hones; Jn^o: Reyly: Jn^o. Bishopp,—Lawrance Bickford, Jasper Miller, and John Moulton, ffor themselves Associates, Heires & Successors to be a Townshipp, and have a Yearly Choyce of a Constable & ffour Overseers, or Assistants, for ordering all their Generall or Townes concernes and said Constables Overseers and Assistants being confirmed & sworne by the Court of Sessions att Pemaquid, or other Places of these Partes or any three or more of them the Constable, or in his absence the first Overseer, or Assistante being One, to keepe Court Quarterly or Oftener vpon Exterordinary Occations, with full Power & Lawfull Authority to Summons Person or Persons: Administer an Oath And to heare & Determine, all Matters Not Exceeding five pounds, above which as also Appeales, and Criminalls Matters: to be brought to the Justice of the Peace and Remitted to the Court of Sessions — And vpon the choyce of the said Inhabitants I Doe for this p^rsent yeare authorize and appoint John Ryford to be Constable and Lawrance Denis, Jn^o Buttery, Thomas Parker and John Cock, to be Overseers or Assistants, wth full Power, and Authority, to act as above, for the Good and wellfaire of said Townshipp, According to Law, Given vnder my hand and seale at Saccadahoc, This sixth day of September One thousand six hundred and Seventy Nine And in the One and Thirtieth Yeare of his Majties Raigne.

E Andross/

Recorded & Examined
py mee William Sturt/

Vera Copia p Johanes
Egidius Cleric/

Fort to be erected about Casco Bay &c.

This Court Considering the State & Condition of the Province of Mayne at present and that part thereof about Cascoe Baye where aboutes, there are severall fishermen settled and retourned to inhabitt there, whome this Court Judg themselues bound to protect Doe therefore Order that a Small fort bee erected about Cascoe bay and one barrack for nine men mayntayned for the preservation of the s^d fort and that the Councill shall take care in ordering all things relating herevnto as they shall Juge meet for wel governinge and protection of the people there & prevention of trouble by Indians or any others the Deputyes haue past this or honord magis.

William Torrey Cleric/

29. Octob. 1679.

Not Consented to by the magis^{ts} Edw^d Rawson/
but is Referred to y^e next court of Election.

E R S.

Government to be Established in Maine. Feb. 10. 1679.

This Court taking into Consideration the necessity of a speedy Establishing a Government in the Province of Maine, & the p^rsent Season &c requiring a speedy issue of this Sessions of Co^rt; The Honoured Councill of this Jurisdiction is requested & hereby empowered to take Order for settling the said Government, & appointing a p^rsident wth Justices of the peace & other officers as is directed in m^r Georges Pattent & to Comissionate the Sames accordingly vnder the Seale of this Colony & this to be in force vntill the next Co^rt of election here, & vntill further Order be taken by this Court therein. the Deputyes haue past this Desireinge the Consent of o^r honord magis^{ts} hereto.

feb: 10th 1679.

William Torrey Cleric/

Consented to by y^e magis^{ts} Edward Rawson Secret/

Commissioners to Establish Government in Maine.

Boston 23. 12. 79.

Gentⁿ,

The alwise providence of God haueing so disposed y^t by o^r Purchase derived from y^e Heyres of S^r fferdinando Georges Wee are now y^e Proprietors of y^t his Ma^{ties} colony, called y^e Province of Mayne.

In pursuance of y^e trust y^t is incumbant on us, These are to informe you y^t wee haue resolved God willing to take effectuall care for y^e Govern^t & proteccōn of his ma^{ties} good subjects y^r Inhabiting according to y^e direccōn & constitution directed in his ma^{ties} charter for y^t Province and for y^t end haue ordered y^e drawing up a comission und^r y^e seale of y^e gov^r & Company for y^e co^mmissionating of c^rteine Gentⁿ for y^e performance and executing of said trust & charge - & for y^e better effecting hereof do hereby order y^t y^e Inhabitants of y^e se^mall Townes within s^d Province be by warrant from m^r Rishworth su^moned to appeare at York towne, Wedensday the 17th day of March then & there to attend such orders & comands as shall yⁿ be required to be observed of them in observance & according to y^e direccōn of y^e aboves^d. At w^{ch} time you may expect to receiue a further order & co^mmission by y^e hands of some Gent^m of the counsell by us co^mmissionated to said trust.

In confidence of yo^r not faileing o^r expecta^çeo in y^e p^remises wee take leave. & are

Gentⁿy^{or} loving friend

E. R.

by y^e order of y^e Hon^{bl}
Gov^r & Councill of his Ma^{ties}
Colony of y^e Massachusetts.

To M^r Rushworth/
M^r Hooke/
Cpt frost/
Capt Davis/

*A Declaration of the Inhabitants of the Province
of Main./*

Wheras upon a late purchase made by the Agents of the Collony of the Massachusets in the behalf of S^r Fardinando Gorges Heirs of the Province of Main in pursuance whereof have commissioned severall Gent to Assert their Authority over the Inhabitants of the said Province, to make entrance unto the settlem^t thereof, according to the Regulation of that Charter requireing Subjection thereunto. And forasmuch as his Maj^{ties} by his late letter doth manifest his disallowance of their purchase aforesaid, so that by our consenting to their commands in the premises we shall endanger his Ma^{ties} displeasure therein, to whom our Allegiance is due Do therefore by these presents declare our dissent & nonconcurrence in any such method of Governm^t as by them is intended to be settled untill his Maj^{ties} pleasure be further known for the Confirmation thereof, which being assented we shall readily render our subjection thereunto./

This Declaration was delivered to M^r Thomas Danford, sent over by the Gov^r & Councill of Boston as their President of the Province of Maine (sitting then in Court at York in the said Province, upon the 18th of March 1679) by John Hole in behalf of the Gent whose names are hereunto subscribed./

Nicholas Shapleigh	Edmund Hammond	Nathaniel Raino ^r
John Hole	Roger Dearing	John Brane
Richard White	John Twisden	Arthur Beate
Peter Dixce	James Wiggins Senio ^r	Jasper Pulman
Elihu Gunnison	Diggery Jeffery	Nathaniel Daniel
Joshua Downing	Stephen Jenkins	William Moore
Thomas Rice	John Marrel	Clement Short
Richard Nason	Jabes Jenkins	Alexander Cooper
Richard King	John White	John Card
Richard Gowell	John Green	Thomas Curtis

Thomas Furnell	George Barren	Daniel Dilt
Gabriel Christian	Adrian Fry	John Persons
William Ramuck	John Banks	William Ashley
Enoch Howkins	John Key	Thomas Littlefield
William Tetherle	Rowland Young Senior	Thomas Bragdon
Thomas Hunchcomb	John Miller	
Richard Miller	John Balson	
Richard Green	John Puddington	
Sampson Anger	Thomas Mussey	
	Jeremy Sheares	
	Joseph Daniel	
	Tho: Traftington	

To the Kings Most Excellent Majesty
 The humble Petition of Joshua Down-
 ing Inhabitant of the Town of Kittery
 in yo^r Majesty's Province of Main in
 New England./

Humbly Sheweth

That yo^r Petitioner hath lived in the said Town about twenty eight years, & hath been a great Sufferer under the Usurpation of the Govern^t of Boston for his loyalty to yo^r Matie & owning the Right of the Heirs of Sr Fardinando Georgé as lawfull Propriato^{rs} of the said Province./

That about the 12th of March 1679 yo^r Petition^r with all the Inhabitants of said Province were summoned in yo^r Maties name to make their Appearance at the Town of York in the said Province, to take the Oath of Allegiance; where finding Thomas Danford one of the Magestrates of Boston (assumeing to himself the Title of President of the said Province) accompanied with three or four Persons for his Connecill; he tendered the Oath of Allegiance to yo^r Petitioner, who (haveing twice taken the said Oath before) desired them to satisfy him by what Authority they there

acted, not that he refused takeing the Oath, but was unwilling to receiue the same from every Pretender: Whereupon the said Thomas Danford told yo^r Petitioner that he was one of those that actually opposed his Ma^{ties} Authority, & particularly in signing a Protestation & joyning with many other of the Loyall party against the present proceedings of the said Thomas Danford; and further said that yo^r Petitioner should know his power, & he would shortly send him further off & immediately by his Warrant (as by the copy thereof hereunto Annexed doth Appear) committed yo^r Petitioner (though very lame & indisposed) to Goale & denied him the benift of one to attend him to yo^r Petition^{rs} great dammage./

Now forasmuch as the said Thomas Danford assumeth to himself great power in this Country, and there are no Courts or Authority settled in this Plantation of New England whereto the wronged Inhabitants may appeal in expectation of Reliefe; Yo^r Petition^r humbly prays yo^r Ma^{tie} to take the premises into yo^r Royall Consideration, so that he may receive full Satisfaction for his false Imprisonm^t & that neither the said Thomas Danford, nor any other like Pretender (from the Governm^t of Boston) may exercise Power & Authority over this Province without yo^r Ma^{ties} Royall Assent first had and obtained; To which both yo^r Petitioner & all the other Inhabitants shall (with their Lives & Fortunes readily submit unto, & defend./

And yo^r Petitioner shall ever pray
Joshua Downing/

Lands in Maine to be sold. May 26, 1680.

ffor the better settlement & planting of the prouince of Mayne and the encouragement to rebuild the wast places thereof

It is Ordered that such lands as are ffree and at the dispose of the cheife Lord proprieto^r as well the Island as on the mayne shall forthwith be granted & sold to such as shall be willing to purchase or Improove the same & the Dep^t Go^u major Gookin & W^m Stoughton Esq^{rs} are Appointed and Authorized by this Court to take order for the Survey of the said Lands & making such Contracts & grants as to them shall seeme meete for the sale & dispose thereof & the Tresure^r is Authorized to signe the Deeds of Sale on the receite of the moneys Contracted for by the co^mitte^e abouesaid// The magist^s haue past this theire brethren the Deputies heereto consenting

Edward Rawson Secret/

26 may 1680/
=

The Deputies Consent not heer too

May. 27: 1680:

Elisha Hutchinson p order.

Petition To the Kings most Excellent Ma^{ty}
 The Peti^{ti}on and Address of the Generall
 Assembly of the Province of Maine in
 New England

In most humble wise sheweth

That whereas y^r Ma^{ts} poor Subjects and humble Suppliants have been by y^e Sovereigne dispose of Almighty God planted and settled in these remote parts of y^r Ma^{ts} Domin-

ion. Wee have not onely conflicted with many wants and difficulties inevitably attending the Subdueing and planting of a barren wilderness but also have been greatly disadvantaged by y^e many interruptions and changes from time to time made and happening in our Governm^t through y^e failer of those betruſted therewith by him who was the cheife Lord Proprietor upon this ground it was that we were neceſſitated for our owne ſecurity from y^e unruleneſſ of turbulent Spirits growing up among ourſelves and from Our defence from y^e rage of the Heathen Natives ſoon to crave y^e Succor and Shadow yo^r Ma^{ts} Subjects our Brethren and Neighbourſ the Governor and Comp^a of the Maſſachuſetts Colony who in the time of our diſtreſſ did not ſpare any expence of blood or Treasuſe for our defence and ſafety without whoſe help and aſſiſtance this yo^r Ma^{ts} Province had been at this day utterly Laid waſt and deſolate and when by reaſon of the deſtroyation of ſome of our Townes we were not able to pay our owne ſoldiers nor to find them cloathing ammuniſion and proviſion Wee were furniſhed with ſupply of all theſe from them and with Souldiers alſo, at their own charge amounting to y^e value of more than Seaven thouſand pounds in money for ſuch indeed hath been their pity and tendernes towards us that they have never Received of Us one penny Tax either in y^e time of peace or Warr excepting was to be diſtributed among y^e Inhabitants of our owne Province for equalizeing of y^e Burthen of this Warr among ourſelves This Wee judged to be our duty to repreſent to y^r Ma^{ty} that what in us lyes we might prevent y^e injury w^{ch} falſe accuſations of our friends may do to us and them.

And whereas by a late purchaſe made from the heires of Sr fferdinando Gorges kn^t the Gov^r and Company of the Maſſachuſetts are now your Ma^{ts} Leivtenant and our cheife Lord propriator and have not onely Adminiſtered to us the Oath of Allegiance to y^r Ma^{ty} none refuſeing it except Quakers and ſome that coeſce with them but further to our

great benefit and advantage proceeded to Settle a Governm^t among us in pursuance of and according to the Royall Charter granted to S^r fferdinando Gorges aforesaid his heires and Assignes.

Wee doe therefore in most humble wise address ourselves to y^r most Excell^t Ma^{ty} for your benigne Aspect and Royall favour to be towards us your poor Subjects that the wrongfull accusations and Suggestions of any who have or may sinisterly represent us and our present Estate and condiçon to your Ma^{ty} may not prevaile to bring on further alterations amongst us But that wee may enjoy the benefit of your Ma^{ts} protection and have continued to us this our Settlement and be thereby encouraged to rebuild our wast and desolate Towns and places and be saved from the like future damages that have falne heavy on us by our former dissettlements

And y^r poore Subjects shall remaine humbly to Pray &c.

Bryan Pendleton Dep^t President

Joshua Scottow

Edw: Rishworth

John Wincoll

Franc: Hooke

Samuell Wheelright

Charles Frost

Samuell Davis

} Assistants.

{ Job Alcocke }

{ Abra: Preble }

} for York

{ Ezek: Knights }

{ John Littlefeild }

} for Wells

{ John Harman }

} for Saco.

{ Roger Kelly }

} for Isles of Shoals

{ George Broughton }

{ James Emery }

} for Kittery

Burgesses {

Incroachments of the Gentⁿ of New York at Pemaquid.

S^r I am Required by our houno^rble Go^vno^r & Dep^{ty} Go^vno^r to signify vnto you that on what is come to their knowledge of the Gentⁿ of New York at Pemaquid theire Incroachments on us & the people vnder our Govern^{mt} in the Province of Maine that they have Judged it necessary to Call a Council to Assemble & be together in Boston on the Day of this Instant August at of the said day to Consult the necessary welfare of the people vnder our Inspection there and therefore doe hereby desire your presence & Assistance at the time & place prefixt; for the ends aforesaid: not else but expecting yo^r performance remaine S^r

Your humble Servant

Edward Rawson Secret By order
of the Go^vno^r Dep^t Go^vno^r &c.

Boston 14th August 1680 =

Government at Pemaquid to be Maintained & defended.

The Councill being credibly informed y^t some persons belonging to Pemiquid, und^r p^rtence of order by y^m receiued from S^r Edm. Andross, haue made disturbance among y^e Inhabitants of Casco in y^e Province of Mayne, & have turned out of their places, the Constable & such as were co^mmissioned with mag^tcall authority according to his Ma^{ties} charter for y^e Govern^{mt} of s^d Province & haue also so farr threatened y^e Inhabitants as that they are affraid to abide under his Ma^{ties} Gover^{mt} & authority there settled, unless Speedy provission be made for their protectiō ag^t y^e insolencyes of said usurpers.

Upon a full debate had in Councill of the p^remises It is resolved that his Ma^{ties} Gover^{mt} orderly settled in said place & y^e propriety of the aboves^d Inhabitants ought to be main-

teyned & defended by y^e Gov^r & Company of this Colony who are now legally y^e cheife proprietor of s^d Province, And Pursuant hereof do order y^t 160: men to be forth pressed, with a^munition & provission necessary for y^e said service, and y^e charges of said expedition to be p^d by y^e Country Trēr. & Capt: Tho: Brattle & m^r Jn^o ffayreweather A: B. C. are appoynted a Co^mittee to press such sloops, boates, provision, & a^munition as they shall receiue order from Tho Danforth Esquire dept Gov^{or} and to charge bills on the treasurer to be payd by him as he shalbee enabled.

It is agreed, that In case y^e n^o cannot be compleated by volunteers then y^e Majors of Suff. & Middlssex shall ord^r y^e impressing of so many as shall be wanting to compleat y^e s^d N^o in each County equally, & the afores^d Tho Danforth Esq^r to direct the Secretary to giue forth orders to the Major^s for Impressing the men & to y^e afores^d Co^mittee to Empress all other p^rvisions & amunition as afores^d & giue such incouragem^{tt} to vollenteeres as he shall see Cause by Lands &c not exceeding 100 acres as wil become inhabitants there and remayne there seven yeares and m^r Gidney is desired to accompⁿ the president of y^e sayd province in this expedition

16 August 1680/

past E R S.

Report of a Committee in relation to a New Plantation on the Northern part of Casco Bay.

To the Honourable Gouverno^r and Company of The Massachusetts Collony./

May yo^r Hon^{rs} be Informed that we vnder written beinge by yo^r selues called to sarvice In the setleinge & Regulatinge the affaires of a New plantation on the Northern part of Caskoe Bay: haue in pursuance theire of, Gone vpon the place, undertaken a view of the Setuation theire

of and Consideringe of the claimes that are made, as deriued from the first proprietor S^r ffardenando Gorge doe tacke vp a Great part of the front and best part of the land in said grant, to the great discouradging of those that intended settlement theire, which the Hon^{red} president Consideringe, haueinge taken a view of the place, hath Granted and Aded to yo^r former grant the Interuieuing land lyinge betweene the bounds of ffalmouth & the riuer of Wescustoge the west bounds of yo^r grant and an Iland next the Sea which we suppose very needfull for Incoradginge of fishinge, & trust yo^r Hono^{rs} will Ratifie & Confirme the same, & would alsoe Informe yo^r Hon^{rs} that we Conceaiue that the buildinge and Improuinge of the Saw Mill Ereckted in that Towneshipp by Barth Gidney Esq^r will be the Maine & cheife Incoradgement to the first settlement of the said towne, without which we Cannot se at present a likelyhood of any conuenient progresse in settleinge &c & haueinge Consulted w^t Bar Gidney Esq^r about it, find him not willinge to disburse further vpon it, vnles yo^r Hon^{rs} Confirme to him such a part of his purchase as may be sufficient accomodation to such an affaire & Liberty of Cuttinge timber on any part of the Riuer or Coues for feadinge the said Mill: we would Moue to yo^r Hon^{rs} that there may be sutable accomodation for the Mill Granted, lyinge vpon the Riuer next aboue the Towne boundes & buttinge there vnto to the Quantity of Three Thousand acres of land theire, beinge in all such cases need of land sufficient to bestow on such working as must be employed in y^t suruice, and will greatly incoradge y^e settleinge of famillyes sutable for y^t Employ which if yo^r Hono^{rs} please to Grant & confirme we shall wt aduice & helpe of Bart Gidney Esq^r Indeaour to o^r vtmost still to proceed & effectt

In discharge of the trust Comitted to vs; and doe remaine
yo^r Hono^{rs} in all Humble obsaruaunce

Siluanus Davis/
Walter Gendle/
George Pearson/
Anthoine Brackett/

To be added to y^e Instructions.

With reference to y^e Province of Mayne, In case y^t aft^r
all humble intreaties & a true representation of that affaire
wth respect to his Maj^{ts} true interest, as well as his good
Subjects of y^t Province, his Ma^{ts} favour cannot be obtained
for o^r holding the same; you shall humbly pray a reimburse-
ing of o^r great expences for y^e purchase and securitie of
said Province against y^e Natives before we be co^manded to
deliver up o^r deeds of sale; & finally you are in most
humble wise to submit that whole concerne to his Maj^{ts}
pleasure.//

23 May
1681.

The magie^{ts} haue past this their
brethren the Deputies hereto
Consenting

Edward Rawson Secret/

The Deput^s Consent not hereto
William Torrey Cleric/

President of Maine.

The majestrates haue ellected & Appointed the Hon-
ored Thomas Danforth Esq^r our present Deputy Gouverno^r

to be President of the Province of Maine for the yeare
ensuing their brethren the Deput^{ies} hereto Consenting//

Edward Rawson Secret/

31 May 1681.

Consented to by y^e Deputys

May 31 : 1681 :

Elisha Hutchinson p order.

Committee to inquire into the state of the Province of Maine.

Major Pinchon, Major Savage & m^r Nowell, are nomⁱnated
by y^e Mag^{ts} to be a comittee, to joyne with some of o^r Brn.
y^e Dep^{ts} to inquire conc^rning the p^rsent state of y^e Povince
of Mayne, & ye settlem^t of fort Loyall & to consider w^t is
necessary further to be done for y^e maintenance thereof, &
to p^rsent y^e same to y^e Court in y^e after noon

The Magistrates have past this our
brethren the Deputyes Consenting/

May 31. 81

The Deputys have Chosen Maj^r Pike Cap^{tt} Sprage Cap^t
Waite & Left^t Johnson to Joyne wth o^r honrd Majestrets to
be a Comⁱttie as in the with in bill, May 31 ; 1681 :

Elisha Hutchinson p ord^r

Return

The Returne of the Committee appointed by the Gen^{ll}
Court to Enquire into the state of the Province of Meyne,
And what was further needfull to be done for the Settle-
ment of Fort Loyall and the maintenance thereof.

1. For the Province itself we cannot as yet by any

enquiry satisfy ourselves so as to give Information to the Court what it may produce.

2. For the Fort we apprehend needfull that it should be continued or defended, both for the securing of the People in those parts against the Indians and any bad neighbours, & also from the encouragement that People take from it to replant themselves there.

3. In order to the maintaining or defence of that Fort & place we judge there cannot well be less than 13. men. viz. a Captain, a Serjeant, a gunner and 10 private Souldiers.

4. We are informed that the People of that Province are so sensible of the benefit to themselves that they are willing to maintaine six private Souldiers.

5. The remainder of the charge for the Captaines Salary Serjeant, Gunner, and 4 Souldiers with a magazine will amount to four hundred pounds p^a an in Country pay.

6. We hope something to ease this burthen may be raised out of the Beaver trade and from the Saw mills & some other ways which may in a little time wholly ease this Colony of the p^rsent burthen.

May 31. 1681/

John Pynchon in y^e
name of y^e Comittee/

The Deputys haue p^rysed this Returne of y^e Co^mitty, & doe aproue of it & order y^t fforte Loyal bee Maintained at y^e Charge of this Collony guided y^e Province maintaine six souldi^rs, & y^e Honrd p^rsident is desiered to take care y^t it be Maintained wth as little Charge as may be: past by y^e Deputys o^r honrd Majestrets Consenting, June. 1: 1681:

2. June 1681.

Consented to by y^e Magist^s

Edw. Rawson Secret

Petition.

The humble petition of y^e Generall Assembly now sitting at Wells August 18th 1681 to their Honord president Thomas Danforth Esq^r

Honord Sr and our very worthy president, after a long time of vnsettlemēt in this province, It hath pleased the Lord in an vnexpected but gracious way of providence to improue your Hono^r as an Instrument of Laying a foundation of present, and wee hope of future happy settlement, for y^e peace & encouragement of this poor people and your ready inclynation therevnto appearing in your proposalls wee your Humble petitioners can but heartily acknowledge, therefore we request as followeth.

1st. That whereas many doe, though others doe not see the large extent of your great bounty in y^e proposalls made, not to alter y^e same but to giue a like cleare vnderstanding to all, it is humbly requested y^t y^e proposalls may bee placed in y^t order, in which they are in this paper annexed y^t all eyes may see how great y^e liberties are, y^t are conferred on them and how great y^e bondage is y^t they are freed from by your fauourable concessions, and may bee tyed vp in greater bonds of thankefullnesse to god and obedience to y^e authority which god hath placed over us.

2. Wee humbly petition y^t every mans Lands may bee confirmed to him, & his heires or Assignes for ever, according to y^e law title lands, free Lands, vnder your Honors hand and Seale, as y^e pattent requiereth.

3^{ly} Considering y^t y^e Inhabitants of y^e province, are few in Number and feeble in power to withstand an Enimie forraine or domesticke, & y^t considering whosoever may Invade us is a coñion enimie to y^e three vnited Coloneyes also. wee therefore desire y^t wee alsoe may bee listed in y^e same confederacy with y^e three vnited Colonys, to yeild our proportionable Assistance, and to beare our æquall share

proportionably in y^e Charge, in case any warr arise against us, or any of y^e three colonys and they alsoe to beare y^e like charge with us.

4^{ly} That your Hono^r would be pleased to grant us the profitts of y^e Indian Trade, towards defraying the publike charge of y^e province.

Vera Copia.

Instructions

Instructions for y^e Messenger appoynted to carry y^e Generall Assemblys result to y^e Honord president as followeth.

1st That before you deliuer vp y^e originall past by y^e whole Assembly y^t you present a true Coppy of it vnto him with y^e proposalls left by himselfe, as now stated by y^e Generall Assembly.

2^{ly} Humbly to represent, y^t according to y^e rigour & full Extent of these proposalls wee oblige ourselues vnto what wee are vnder an incapacitie to performe withouty^e Assistance of our L^d proprieto^r, & doe humbly craue y^t in case of war either with an Intestine or foraine enemy, provided y^e province doe beare their proportionable charges with y^e proprieto^r, then wee doe humbly expect our Honored proprieto^r shall releiue & protect us.

3^{ly} That y^e law concerning lands, Intitled free lands, be according to a promise made wee conceiue by o^r Hono^d president bee made good vnto us.

4^{ly} That y^e Third Claues in our petition, relateing to y^e Joynine of us in confederacy with three colonys, must bee left to y^e consideration of o^r L^d proprieto^r whether it can bee Effected or not.

5: The last clause in our petition refering to y^e Indian

Trade although wee doe with submission conceiue it necessarily Implyd in our presidents Last proposall in y^e tearmes &c yet wee humbly craue it may be more fully expressed, & doe submissiuely expect y^e granting thereof for our helpe to carry on publique Charge.

6: That the Coñmander of y^e fort be appointed by our selues & y^e management thereof

Finally. 7. That if these be a condiscendency by o^r Ld. proprio^r or his Generall Governer vnto these proposed pticulars that then wee passe our ready Compliance to his proposalls, & wee order you to deliuer vp vnto him y^e result of y^e Generall Assembly.

This signed as y^e act of y^e last Generall
Assembly this 18th August 1681
as Attests Edw: Rishworth Secrety^r

Vera Copia.

[Endorsed]
[by Secretary Rawson]
"Province of Mayne
by m^r Broughton
8. 7. 81./"

*proposals for y^e future settlement of y^e affaires
of y^e province.*

1st That all publique charges henceforth ariseing annually within y^e province as well for their protection as government or otherwise be Defrayed out of y^e Treasury of y^e province/

2^{ly} That Fort Loyall & a Garrison necessary for y^e

security thereof be maintained henceforth at y^e charge of y^e province/

3. That all those y^t haue taken pattents, or leases, out of Sr Fardinando Gorges, or any of his agents, doe obserue and make good their Covenants respectiuely to y^e cheife proprietor, as their acknowledgment of his right to Soyle and Government.

4^y. That all others as an acknowledgment of his right to Soyle and Gouverment doe pay 12^d for every family whose single Country Rate amounts not to aboue 2^s and for all y^t shall exceed y^e sum of two shillings in a single rate to pay three shillings p family annually in Mony to y^e Treasury of y^e province, for y^e vse of y^e cheife proprieto^r.

5: That according to y^e law Title charge publique all persons and estates & lands which are in this province, whither belonging to persons Resident within or without the colony. be æqually and Indifferently rated therevnto excepting only Co^mons of any Towne or land Lying in Co^mon & belonging to y^e Cheife proprieto^r.

6. In Consideration hereof I doe freely consent and grant y^t y^e inhabitants of this province be for ever acquitted & discharged from all claimes & demands due, and by charter belonging to y^e cheife Lord proprieto^r, for y^e time past, & for y^e future y^t all Towneships y^t haue been granted by Sr fardinando Gorges K^t. or any of his Agents or y^e Generall Court of y^e Massachusetts as well for there Streames, Sawmilles, Corne mills &c: bee forever acquitted from paying rent or any Dues to y^e cheife proprietor or his Generall Gouvernor, otherwise then shall be necessary for their owne deffence.

This Court haueing read and considered y^e p^posals hereto annexed for y^e settlem^t of y^e affaires of y^e Province of Mayne do approve thereof. And in answ^r to y^e Pet'. of y^e Gen^l Assembly of y^t Province of Aug: 18: 81. for a more full explicac^on of said Proposals & further Privi-

ledge to be granted. This Court doth order and hereby impower y^e Presid^t of said Province, to make legal confirmac̃con to y^e Inhabitants respectively of their just propriety in the lands there, under his hand & seale, according to the direc̃cons of their charter. And do further grant that they making the annuall acknowledgem^t of the right of the cheife Proprietor to y^e Soyle & Govern^t as is Provided in the 3: Article of y^e aboues^d Proposals, they shall then be acquitted & discharged from any further subsidies to the cheife Proprietor, further then shall be necessary & orderly leyed for their own p̃tec̃con and govern^t.

2. That in case of any defensive warr, orderly cõmenced, they shall endeavour the ordering thereof as may be for the safety of the Inhabitants, & shall allow the whole of the revenew ariseing due to y^e cheife Proprietor towards y^e maintenance thereof

3. That y^e annuall revenew ariseing by y^e trade wth the Indians shallbe allowed towards y^e maintenance of fort Loyall, the Appointment of y^e Cap^t as well as of the other Militia being still reserved, as the charter appoynts in the power of the cheife Proprietor.

ffurther it is ordered that y^e Arrears of y^e Cap^t & Garrison at fort Loyall, be forthwith passed by y^e Presid^t of said Province to y^e Fr̃er for paym^t// The magists haue past this their brethren the Deputies hereto Consenting.

Edward Rawson Secret/

15th Octob^r 1681.

Consented to by the Deputyes
William Torrey Cleric.

Deed of Nanaadconitt et al to Francis Neale et als.

This Indenture made this ffourth Day of August in the yeare of our Lord 1672 betwixt Nanaadconnitt & Werad-bitticton Indian Sagameres of y^e one partie & ffancis Neale

George ffelt & Jenkin Williams planters of y^e other partie Witnesseth That Wee Nanaadconitt and Waradbicton for and in consideration of a certaine sum of monie or monies worth to vs in hand payd before y^e signing & Sealeing of these presents wherewith Wee acknowledge our Selues fullie Satisfied & payd and contented, Haue Giuen Granted bargained & Sold, & by these presents wee Doe absolutelie Giue Grant Sell allien enffeof & confirm vnto ffrancis Neale George ffelt & Jenkin Williams theire heires & assignes for euer a quantitie or parcell of Land Lying & being in Casco Baye & vp the Riuer calld Pesumkitt Riuer bounded as followeth videllizett one y^e North side of y^e Riuer. And to begin where M^r George Munjoy according to his Deed which abovtt ffine or Six yeares since he had from vs endeth upon the same side of the Riuer and soe to Runn Downe by the side of y^e Riuer to the ffalls & Soe aLong by y^e side of the Riuer within fowerscore poles of John Waleyes dwelling house & Six Miles vp in the Cuntrie Together with all Lands Marshes woodes underwoods timber Trees with y^e priuiledges of the Riuer and ffalls and all other profitts priuiledges of what natuer Soeuer is or may bee contained within y^e aforementioned bounds (alwayes excepted that if any of y^e aforesayd Lands be within y^e now claime or titell of y^e Massathussetts Collonie or Jurisdiction we doe nott presume to Dispose of itt) To Haue and to hold all & singular the afore Mentioned Lands hereby granted bargained and Sold with all members priuiledges and appurtenances whatsoever to y^e Sayd Lands belonging or any wise appertaining vnto the onelie vse of y^e Sayd ffrancis Neale George ffelt & Jenkin Williams theire heires & assignes for euer Wee Nanaadconitt & Waraadbicton Indian Sagamores hereby emplying our Selues heires & assignes of and from all clame titell and interest to y^e aforementioned premisses or any part or parcell thereof and vnto y^e onely vse and behoofe of the aforementioned ffrancis Neale George ffelt & Jenkin Williams theire heires or assignes against vs our

heires or any other Indian claime or titell whatsoever will warrant and for euer Defend by these presents & in witnes of the truth hereof Wee Nanaadconitt & Waraadbicton haue herevnto Sett our hands and seales this 4th of August 1672/

Nanaadconit  his mark with a seale ()

Waraadbicton () her mark with a seale ()

Signed Seald & Deliuerd

in the presence of vs

William Haines/

John Dale/

William Haines testified vpon Oath that he was present and Did see Nanadconitt Waraadbicton signe seale and Deliver this instrument as their act and deed Sworn in boston 9th Nouember 1680 before me
Vmphey Davie Assistant/

John Deale personallie appearing made Oath that he was present and sett his hand as a witnes to y^e aboue written when itt was Signed and Seald 7th March 16⁸¹₈₂

Bartholomew Gidney assistant/

Agreement between Tho^s. Danforth & Mary Munjoy

Articles of Agreement had made & Concluded this tenth day of June Anno Domini One thousand Six hundred & Eighty one, annoq. RR^s Caroli Secundi &c^a xxxiiii By & Between Thomas Danforth Esq^r Presd^t of y^e Pro^{ce} of Mayn in New England in behalf of y^e Gov^r & Comp^a of

y^e Mass^a bay in New England afores^d Proprietor of y^e s^d Province of the one Part And Mary Munjoy Widow Relict & Sole Adm^x of the Estate of George Munjoy late of Casco in Falmouth within the abovesaid Province Marriner dec^d of the other part; Witnesseth That Whereas the said Thomas Danforth Esq^r President by Virtue of his Commission from the said Governour & Company of the Massachusetts hath ordered the settlement of a town at Casco Errecting Fort Loyall thereon, disposed of house lotts for the furtherance & encouragement of the said Settlement, but for as much as the said Mary Munjoy doth lay Claime to a Neck of land lying about said Fort, the place Agreed upon for the s^d township but hath not entered upon any possession or improvement thereof Since the devastation made by the Indian War for the finall ending of all present disputes or after Controversies Claime or title to be had or made, by her or her heirs or Assignes or any of the heirs of her s^d late husband thereunto, It is Mutually Agreed Consented to & Concluded by & between the said Partys to these Presents as followeth vizt That the s^d Mary Munjoy for y^e Consideration hereafter in these Presents Expressed Shall have retain & Enjoy the Easterly end of s^d Neck of land whereupon her s^d husbands house formerly stood, bounded by a Streight line from y^e Mouth of A Runnet of water, on the Easterly side where m^r Cleaves house Stood & so to pass on to the old barn, on the top of the hill, & from the barn the Shortest line to the Salt water Excepting and Reserving to the said township & fort for the laying out of house lotts the lands all along the Southerly side of the said neck of land as far as the meeting house to Extend twenty pole, backward in length Reserving only twenty pole front for her own house lott Adjoyning to said Runnett Further that the said Mary Munjoy Shall have & enjoy the Island Called House Island which her said Late husband formerly Purchased of Sundry of the Inhabitants there And more the said President doth Yield & Grant unto her two hundred

Acres of land upon the nearest of the Islands Adjoyning that Remain free & undisposed off in way of Exchange & full Compensation for the land herein after mentioned by her Released To have & to hold all the lands above mentioned (with the Exception and Saving the liberty afore expressed, And the priviledges & Appurtenances thereto belonging unto the s^d Mary Munjoy her heirs & Assignes to her & their sole use benefitt and behoof forever In Consideration whereof y^e s^d Mary Munjoy for her self her heirs Exec^r & Admin^r Doth hereby freely fully & Absolutely remise Release & forever quitt Claim & doth resign up & Assign all her right title Interest Claim & demand of in & to the whole Remainder of the said neck of land unto y^e s^d Thomas Danforth Esq^r President in behalf of the Gov^r & Company of the Massachusetts, their Successors & Assignes to be disposed of According to the present Settlement and by the said President To have & to hold the Same without the least Reclaime deniall let Suit trouble eviction or ejection of her the s^d Mary her heirs Exec^r Admⁿ or any of the heirs of the s^d George Munjoy or any other person or persons whatsoever by from or under them or either of them In Witness wherof the abovenamed Mary Munjoy & Thomas Danforth have Interchangeably putt their hands and seals the day & year first above written.

Sealed & Delivered

In the presence off

Silvanus Davis/

Joseph Townsend/

March 22^d 1682/3

Mary Munjoy



These Articles having been read with the Magistrates they do allow & Confirm the same their Brethren the Deputies thereto Consenting:

March 24, 1682/3

Edw^d Rawson Sect/

The Deputies Consent hereto

Rich^d Sprage p Order/

4 book page 392 & 5 Entered and Recorded word for word in the General Court book of Records

As Attests

Edward Rawson Sec^{ry}/

This Court doth order y^t those lands & Ilands p^t of y^e Province of Mayne, conteyned in a writeing made in parchm^t hath been read & considered in both houses, be conveyed, in trust to y^e Tre^r of y^e Country, for y^e uses y^rin exp^{rs}sed, & y^t y^e seal of y^e Gov^r & Company be affixed thereto by y^e Gov^r

The magist^{rs} haue past this their brethren the deputies hereto Consenting

31 March 1683/

Edward Rawson Sec^{ret}/

Consented to by the Deputys: March. 31: 1683:

Elisha Hutchinson p^o ord^r /

Petition.

To The Honrd Gen^{ll} Court:

The Humble Petition of Richard Wharton Sheweth /

That upon a former application and complaint to the Gener^{ll} Court they were pleased to referr y^e matter complained of to a Committee of Magistrates and Deputyes whose from the Evidence laid before them Reported their Sence of your Petition^{rs} Sufferings by a Sentence of A Gener^{ll}: Court in May 1674 and Proposed means for Your Petitioners redress and Satisfaction Butt ffor short of said Report and Yo^r Petition^{cs} Just Expectations the Gener^{ll} Court ordered Your Petitioner a thousand acres of land in the Province of Maine but appointed noe Persons to lay out the Same Soe that the said Grant is both Scant and Ineffectuall Yet Your Petitioner being not willing to beare upon his Spirit the temptations that his Grievous Sufferings and Impendent changes may Suggest.

He humbly prays that the said Report may be reviewed and a reasonable addition made to former Grants & that Cap^t Edwrd Tyng m^r

James Andrews or m^r George Peirson or Such
meet p^{ersons} as any two of them shall appoint may
be ordered to lay out Such land as is or may be
granted to Your Petitioner: And that in regard
Your Petition^r intends to Interest his Son in
said lands he may have the sattisfaction to see
the result of this concerne being now ready by
the first Ship to return for England

And Yo^r Petitioner
Shall Pray &c.

R^d Wharton/

In Answer to this Peticon the magis^{ts} Judge meete to
grant the petitioner one thousand acres of land as An Addi-
tion to his former grant menconed in this peticon to be laid
out in the Prouince of Maine by Cap^t Edward Ting &
m^r James Andrews so it be not prejudiciall to hinder a
plantacon & for a finall Issue & Conclusion The magis^{ts}
haue past this wth Refference to the Consent of their breth-
ren the deputyes hereto: Edw^d Rawson Secret/

The Deupt^s Consent not hereto

William Torrey Cleric/

But to the end the pet^{rs} former graunt may be made
effectuall, This Court doth now order & appoynt that
Cap^t Edward Tyng m^r James Andrewes m^r George Peirson
Cap^t Brackett & m^r Sylvanus Davis or any three of them
lay out s^d land & make returne, o^r honord magist^s Consent-
ing hereto William Torrey Cleric.

Consented to by the magis^{ts} E. R. S/

Grant to Tho^s Danforth & Samuel Nowell.

At a General Court for Election held at Boston the
7th of May 1684

This Court doth grant unto the honrd Deputy Governour Thomas Danforth Esq^r President of the Province of Main, and to Samuel Nowell Esq^r for their great Pains and good Service done by order of this Court in the expedition and several Journies to Casco, for which no Recompense hath been made them, an Island called Chebisco Dego, in Casco Bay in the Province of Main: Provided they take said Island in full satisfaction for all Service done referring to the settlement of the Province of Main to this day—

Copy Exam^d by J Willard Sec^{ry}/

Grant to W^m Stoughton & Peter Bulkley May 13, 1684.

This Court do grant to W^m Stoughton Esq^r & to Peter Bulkly Esq^r as a gratuito for their care & paynes in y^e purchase of y^e Province of Mayne, securing y^e land to this Colony, for w^{ch} they have had no acknowledgm^t One thousand acc^rs of land a p^s to be layd out in any free place in said Province. The magis^{ts} haue past this their brethren the Deputies hereto Consenting. Edward Rawson Secre^t /
13 May 1684.

The Deput^s consent not hereto

William Torrey Cleric/

Petition of Jeremiah Dummer.

To the Hon^{ble} Gen^{ell} Court now sitting in Boston
December 1683.

The humble petition of Jeremiah Dummer Sheweth

That Whereas yo^r Petiti^{es} ffather Richard Dummer dec^d was wholely intrusted with the plow patent, and the mannagement of Sundry Concerns relating to the same, by vertue of a power derived from the patentees and therein disburst Sundry Summes of money and afterward, the s^d Patent being ordered home for England, the said Patentees in Consideration of his the said Rich^d Dummer's trouble and Charge in the mannagem^t of their Concernes about said Patent granted him Eight hundred and odd Acres of land which was laid out at Casco Bay, as by Evidences doe appeare

Yo^e Petiti^o therefore humbly prayes that this hon^{ed} Court will please to Confirme the s^d Lands to the heires of y^e s^d Rich^d Dummer with Such an addition as this hon^{ble} Court shall see meet:

Soe shall he pray &c
Jeremiah Du^mer/

The magistrates do grant this Petition for one thousand Acres & do order that it be laid out by Cap^t Edward Ting & Lieut^t Ingerson with reference to the consent of our Brethren the Deputys

Dec. 7th 1683.

Samuel Nowell p order/

(13 May 1684)

The Deput^s doe not consent hereto but doe Judge that this case ought to be determined vpon the place where the pet^r vpon due proffe of his graunt may expect due satisfaction in this Case o^r honord magis^{ts} hereto Consenting.

William Torrey Cleric/

*Indenture between Tho^s Danforth and Capt. Edward Tyng
and others.*



This Indenture made the 26th day of July Anno Domini One thousand Six hundred Eighty & four & in the thirty sixth year of the Reign of Our Sovereign Lord Charles the Second by y^e Grace of God of England Scotland France & Ireland King Defender of y^e faith &c Between Thomas Danforth Esq^r President of his Majesties Province of Mayne in New England on y^e one party & Cap^t Edward Tyng Cap^t Silvanus Davis M^r Walter Gendall m^r Thaddeus Clark Cap^t Anthony Brackett m^r Dominicus Jordan, m^r George Brimhall & m^r Robert Lawrence Trustees on y^e behalf & for y^e Sale use & benitfitt of the Inhabitants of y^e town of Falmouth within y^e Abovenamed Province of Mayne, on y^e other Party Witnesseth That Whereas y^e abovenamed Thomas Danforth by y^e Gov^r & Comp^a of y^e Massachusetts Colony in New England y^e now Lord Proprietors of y^e abovenamed Province of Mayne, Att A Generall Assembly held at Boston on y^e Eleventh day of May 1681; is fully authorized & impowered to make legall Confirmation unto y^e Inhabitants of y^e aboves^d Province of Maine, of all their Lands or Proprietys to them justly Appertaining or belonging within y^e limits or bounds of y^e s^d Province Now Know all men by these Presents, That y^e said Thomas Danforth Pursuant to y^e trust in him Reposed & Power to him given as abovesaid by & on y^e behalf of y^e Gour & Comp^a of y^e Massathusetts Colony afores^d Hath given

Granted & Confirmed & by these presents Doth fully Clearly & Absolutely Give Grant & Confirm unto y^e above-named Cap^t Edward Tyng Cap^t Silvanus Davis m^r Walter Gendall m^r Thaddeus Clark Cap^t Anthony Brackett m^r Dominicus Jordan M^r George Brinshall & m^r Robert Lawrence, Trustees as is above Expressst all that tract or Percell of land within y^e township of Falmouth in s^d Province according to y^e bounds & limitts of s^d township to them formerly Granted by Sir Fardinando Gorges Knight or by any of his Agents or by y^e General Assembly of y^e Massachusetts, with all Priviledges & Appurtenances to y^e same Appertaining or in any wise belonging (All Royalties Reserved to his Majestie by y^e Charter, Granted to Sir Fardinando Gorges Knight, As Also those by said Charter Given to y^e s^d Sr Fardinando Gorges Knight his heirs & Assignes together with y^e rivers Streams & Coves Contained within y^e Limitts or bounds of said township Always to be excepted & reserved) To have & to hold all y^e aboves^d tract of land by these Presents Granted & Confirmed, be y^e Same more or less with all y^e priviledges, & Appurtenances to y^e same Appertaining or in any wise belonging (Excepting as is above Excepted & Reserved, to them y^e s^d Cap^t Edward Tyng Cap^t Silvanus Davis m^r Walter Gendall m^r Thaddeus Clark Cap^t Anthony Brackett m^r Dominicus Jordan m^r George Brimhall & m^r Robert Lawrence as Trustees aboves^d forever, to y^e only proper use & behoof of y^e Inhabitants of y^e s^d town that now are, & to them that shall their Survive & Succeed from time to time & forevermore hereafter, And y^e abovenamed Thomas Danforth for & on y^e behalf of y^e Gov^r & Comp^a of y^e Massachusetts Colqny & for their Successors and Assignes doth further Covenant Promise & Grant, to & with y^e above named Edward Tyng, Silvanus Davise, Walter Gendall, Thaddeus Clark, Anthony Brackett Dominicus Jordan, George Brinshall & Robert Lawrence, their heirs & Assignes Trustees, as above Expressed, That they y^e s^d Edward Tyng Silvanus Davis, Walter Gendall

Thaddeus Clark Anthony Brackett Dominicus Jordan, George Brimhall, & Robert Lawrence Shall & may att all times, & from time to time forever hereafter, peaceably & Quietly have hold Occupy possess & enjoy all y^e above given & Granted Premises without the Lett deniall or Contradiction of y^e Gov^r & Comp^a of y^e Massachusetts Colony or of any other person or Persons whatsoever Claiming & having any lawful right title or Interest therein or in any part or percell thereof by from or under them y^e s^d Gov^r & Comp^a or by any of their Assigns They y^e abovenamed Inhabitants of y^e s^d town of Falmouth for y^e time being & in Like manner that Shall there be from time to time forever hereafter Yielding & Praying in Consideration thereof to the Governour & Company of the Massachusetts Colony, or to the President of the said Province of Mayn, by them authorized and impowred for the time being or to other their Agent & Lawfull Assignee or Assignes, the quitt rent to the said Governour & Company due & belonging According to the Proposall made & Mutually Agreed upon att the General Assembly held in the above said Province at York June 1681 Viz^t that they the abovenamed Inhabitants of the said town of Falmouth for the time being & in like manner that Shall there be from time to time forever hereafter, As An Acknowledgement of said Sir Fardinando Gorges & his Assignes, right to Soyl & Government do pro twelve pence for every Family where Single Country rate is not above two Shillings & for all that exceed the Sum of two Shillings in A Single rate to pay three Shillings p^r family Annually in Money to the treasurer of said Province for the use of the Chief Proprietor thereof, And in Case of Omission or Neglect on the part and behalf of the said Inhabitants to make full payment Annually in manner as is above Exprest, & hath been Mutually Consented and Agreed unto, It shall then be Lawfull for the said President of the said Province for the time being or for the Agent or Agents Assignee or Assigns of the Governour and Company of the

Massachusetts Colony to levie and make distress upon the Estates of any of the Inhabitants for the time being within the Limitts and bounds of the said Township, as well for said Quitt Rent, As Also for all Costs, and Charges, Accruing and arising upon the Same, And the Estates so levied or distreyned to bear drive or Carry away with so much as it shall Cost to Convey the Same to the Treasurer of the Province for the time being or to Such place as he Shall order & Appoint, In Witness Whereof the partys above-named to these Present Indentures have Interchangeably putt their hands & Seals the day and Year first, Above written

Sealed & delivered by

Silvanus Davis

Walter Gendall

Thaddeus Clark

Dominicus Jordan

in the presence of us

Davis

a Scottow

Silvanus Davis

Walter Gendall

Thaddeus *Tc* Clark

Dominicus Jordan



A true Copy Examined
p J Willard Sec̃ry/

Sarah & Albert Jordan to Rich. Hunniwell.

Know all men by these presents That Wee Sara Jordan widow and Robert Jordan of Spurwink Reliet & son of the late Robert Jordan of the s^d: Spurwink Clark Haue bargained sold enfeoffed & confirmed, & by these presents doe bargaine sell enfeoffe & confirme to Rich: Hunniwell for & in consideration of two Cowes & two oxen to the said Robert Jordan delivered unto him before the signing and sealing

hereof ten acres of fresh & salt marsh land being more or less scituated & lying in the said Towne of Scarborough and bounded as followeth viz With a brook called Moots brook Westerly with Blackpoint river southerly with the body of marsh belonging to and in the possession of the said Sara Jordan Easterly & with a little Creek according to a bound stake sett up between the said parcell of land sold to the said Richard Hunniwell & the rest of the land Northerly

To haue and to hold the said ten acres of land whether it be more or less according to the limitts & bounds aboue expressed, together with all the priuiledges, proffits & appurtenances thereunto belonging to the sole & proper use & behoofe of the said Richard Hunniwell his heires & assignes for ever, & the said Mary and Robert Jordan jointly & severally for themselues their heires Executors and administrators, doe hereby covenant & grant to & with the said Richard Hunniwell his heires & assignes, that they the said Sara Jordan & Robert her Son are & stand lawfully possessed to their owne use & behoofe of the said bargained premises & appurtenances in a good perfect & absolute Estate of Inheritance in fee simple, & haue in themselues full power right & absolute authority to grant bargain sell convey and assure the same in manner & forme abouesaid & that he the said Richard Hunniwell his heires & assignes or each or every of them shall and may for euer hereafter pleceably and quietly haue & hold the said bargained premises with all the appurtenances free from all dowers incumbrances intanglements or molestation whatsoever either from them the said Sara or Robert Jordan or either of them or from their or either of their heires Executors or administrators or from any person or persons by or from under them or any of them or any other person or persons whatsoever claiming any right or title thereunto. In Witness of the truth of what is aboue & confirmation thereof the said Sara Jordan and Robert Jordan haue hereunto set their hands

& seales Made at Blackpoint in the said towne of Scarborough the twentieth day of January in the yeare of our Lord 1684. & in the xxxvi yeare of the reigne of our Sovereigne Lord Charles the ii^d by the grace of God King of England Scotland france & Ireland &c.

Read signed sealed & delivered

mark of

in presence of

Sarah  Jordan (L S)

Jeremiah Jordan/

Robert Jordan (L S)

mark of

John  fford/

2: 8: 1685. this deed was acknowledged
and done in presence of

Josh: Scottow/

Just p.

Agamenticus Division of Land Oct. 30, 1641.

In Performance of a Court order at the Petiçon
of Roger Gard & others as the same appeareth
August: 1641:

The Devission of $12\frac{m}{ooo}$ Acres of Land amongst the Patentees of Agamenticus October 30 1641: by us whose names are here subscribed./

6 Miles & 4^L long & 3 Miles broad make 12000 which being devided into 13 parts each parte will contayne 154m: which make $\frac{1}{2}$ a Mile wanting 6 poole. /

fflower of these parts putt together contayning 616 poole In breadth & 68 lynes at Nine poole by lyne make 616 poole 2 poole over and above. /

There is already layd out towards every of the fower parts 26 lynes & one over and above, Soe there is more to be layd out for every fowerth parte 42 lynes, & the salt Marsh ground to be devided in the like mañer

A devision already of the Land below Mr Gorges house
on the Lower side of the Crick /

Thomas Gorge Edw: Godfrey Roger Gard/
Recorded according to the originall by me Edw: Godfrey.

Edward Godfrey's land Measured May 5, 1644.

Memoran^d the 5th day of May 1644: We new
Measured Mr Godfreys land from the Marked
tree above the Trapp unto Mr Norton's house,
which is his bounds It contayning 154 poole
betweene the s^d house & Tree, & from these
bounds he is to goe North East measured by
Mr Godfrey & us whose names are underwrit-
ten agreeth wth the Originall

Roger Gard/

Joseph Hull/

A true cobby of this computa^{con} or divission
above written transcribed out of the originall
& therewith compared this 10th day of June
1667

p Edw: Rishworth/

Re: fer:

A True Cobby transcribed & therewth com-
pared this 4th of October 1687

p me Francis Hooke Just pea/

L' ACADIE.

Page 7. 1686. N^o 48.

Meemoires generaux

La coste de L'Acadie á destendue en prenant du passage de
Frousac au bout Sud duquel est la baye de Chedabouctou
Jusques a la baye françoise et au bassin du port royal environ
120 lieües

La baye françoise a neuf lieües de largeur du grand Menane a lisle longue et peut avoir 25 lieües de profondeur.

De l'entrée de la baye françoise prenant a la d^e isle du grand Menane, tirant de vers Baston la coste depend de l'Acadie jusques a la riviere de Quinibegny ou St George 34 lieües.

La d^e coste depuis les Isles de Cameaux jusques au Cap de Sable a plusieurs forts considerables de belles rivières et particulierement Chedabouctou Chiboutou la heve et le port La Tour au Cap de Sable, la mer est extremement fertile en poisson dans toute cette etendue et les etablissemens pour la pesche plus faciles et plus convenables qu'en aucuns autres endroits de toute l'Acadie, la terre est bonne a Chedabouctou a la heve et au port la Tour, ou la croit de meme par toute la coste, il n'y a rien a desirer pour l'abondance de bois de construction et pour la masture.

M de Rasily estoit estably et fortifié a la heur comme la plus considerable retraite et luy et successeurs avaient construit des forts en divers endroits qui ont été detruits tant par les Anglais que par la guerre civile.

L'establissement de la heur a este abandonné par le Sr de la Motte Dannay successeur du d^t Sr de Razely et toute cette cote n'a presentement que trois habitations dont la plus forte n'a pas plus de trois familles a la reserve des etablissemens de la compagnie et de celle de Poubonioeur autrement la Tour dix lieües du Cap Sable ou il y a cinq familles composées de dixhuit personnes qui dans cette année doit commencer à en faire a Chibouctou et a la heur. Il y a apparence que la biensseance du bassin du Port royal a servi de motif a l'establissement qui a été fait a la Bourgade qui est la partie la plus reunie de toute la colonie avec les habitants qui en dependent au nombre de 70 familles repandue dans cinq ou six lieües de pays qui composent 500 personnes.

Il s'est formé a l'endroit apellé les Mines dans l'un des trois bassins le plus Sud qui soit au fond de la Baye françoise de habitations de la jeunesse du port Royal au nombre de 150 personnes.

Il y a une habitation apellée Beaubassin qui est au seigneur de la Valliere presque au milieu de l'Isme qui separe le golfe de S^t Laurent de la Baye françoise séparée seulement d'une lieüe de terre dans un pays bas sans roches, et tres facile a couper ou il y a 20 familles faisant nombre de 120 personnes.

Les bords de la Baye françoise du côté du Sud ne sont point habités et ne sont point practicables mais a la partie du Nort il y a quelque habitation commençant par la riviere de S^t Jean qui est navigable environ 50 lieües dans les terres, il y a trois Familles a l'entrée composées de douze personnes, ou peut par cette riviere avoir communication au fleuve S^t Laurent Vis-a-vis Tadoussac —

Dixhuit lieües de cette riviere terant de vers la nouvelle Angleterre est celle de S^t Croix qui peut devenir considerable avec quatre familles composées de Vingt personnes.

Huit lieües a ouest N. O. d'elle est Megesse avec douze personnes a l'isle apellée Archimagau, six lieües plus Est que Pentagoüet sont deux familles composées de six personnes.

A la riviere de Pentagouet est le S^r de Castin qui negocie avec les Sauvages et avec les Anglais, c'est un très beau pays plein de ports avec trois bonnes rivières, et il y a deux nations tres considerable dans les terres qui reconnoissent la france et sont ennemis des Anglais

Il y avoit un fort et une habitation a Pentagouet construits premierement par M. de Dannay de Charnisoy les S^{rs} de grand fontaine et de Chambly ont été ensuite et tout a été abandonné depuis l'invasion des Anglais en 1665.

Pour faire profiter solidement ce pays qui est le meilleur de l'Acadie et qu'on peut dire le seul bon de la nouvelle France, du secours que le Roi à la bouté de luy donner et des augmentaõs que la compagnie peut faire et affin aussy de le mettre a convert de l'insulte des Anglais qui ne peuvent presque subsister sans la pesche de la cote de l'arcadie, il paroît indispensable de faire deux forte et d'y travailler le plus tost qu'il sera possible, parcequ'on scait

que les Anglois sont en inquietude et ont deja fait quelque mouvement depuis qu'ils ont appris que le Roy avait envoyé du secours a cette colonie qui n'a travaillé que pour eux depuis la restitution qu'ils en ont faite en 1667. On peut faire une fort a Pentagoïet dans l'endroit ou il y en avait un ou l'avancer a la riviere de Quinibiquy ou St George et ce dernier paroist plus convenable parcequ'il conserveroit les Canibals et conperoit de plus pres par terre le chemin aux Anglois.

Après cela il semble qu'on doit songer seulement quant a present a assurer le port Royal comme la capital de toute la colonie parceque cet endroit la met en sureté, d'autant que la cote est très mauvaise dans le reste de la Baye françoise Le coste est de l'ouverture du bassin du port royal voit toute l'entrée de la Baye françoise et n'a pas plus d'un demy quart de lieüe de large au passage qui seroit sous le mousquet de sorte qu'avec une tour enfermée dans un reduit de bassin du port royal seroit en sureté ainsy que les habitans de la riviere du port royal et en quelque, sorte toute la Baye, ou n'estime pas la depense de plus de 2000, cens, ainsy il ne seroit besoin au port royal que d'un reduit de palissade pour enfermer les logemens du gouverneur de partie des soldats et les magasins et les effets des habitans en cas de de besoin ce qui pouvoit se faire aussy avec peu de depense.

On croit quel seroit necessaire d'envoyer au moins soixante hommes d'augmentation.

Endorsed Memoire sur l'etat de la situation et la disposition en laquelle sont les habitans du pays de l'Arcadie.

page 12. Accadie portefeuille 128. piece 30.

Le fort dont la situation est commandée de tous costé et il y a quelques terres assé bonne pour mettre

1. des habitans mais il n'y a pas de commodité pour l'eau

- 2 L'entrée du havre est une pointe D'Isle qui faut que les Navires renga en entrant a laquelle pointe une batterie sera fort necessaire avec trois pieces de Canon.
3. Une Bature qui decouvre a demy marée
- 4 Une autre Bature qui ne paroît qu'au grande marée tout a fait basse.
- 5 Une Bature encore a l'entrée de la petite Riviere
- 6 Une prairie d'un petit quart de lieue de long entre les deux ances au long de laquelle les terres sont fort belles pour l'habitation. Il y a aussi quantité de Chesnes.
- 7 Une terre plate ou il y a quantité de Chesnes fort aisée a Cultiver qui faict l'embouchure de la riviere de Rameson sur les bords de laquelle on peut placer plusieurs habitans il y a aussi quantité de Chesnes et de beau bois ou y peut faire grand pêche de bare, D'aloize, de Sardines, et de Casparot, et il y a moulages pour des navires.
8. La pointe aux Chesnes laquelle n'est commandé d'aucun lieu ou on pourroit faire renfort qui garderoit le passage de la riviere, la terre y est bonne, il y a quantité de Chesnes et de haitres et a droit et a gauche Il y a de bons havre pour les batimens et ce ne sont que des prairies
- 9 Un fort de sauvage au bout du grand rapide aux environs duquel les terres sont fort bonne et il y a de fort beau bois pour toute sorte d'usage
10. Saquaische qui est un fort de sauvage, ou il y a encore de fort bonnes terres et de beaux bois —
11. Madahameouit grand fort de sauvage qu'ils tiennent estre a moitie de quebec icy les terres y sont aussy fort bonne et il y a des Chesnes les plus beaux et la plus grande quantité du monde et grande peche d'anguille et toute sortes de poisson
12. Une petite riviere qui le Communique avec celle de St Jean en faisant un partage

13. Une autre riviere qui prend son origine du lac du Sault de la Chaudiere qui est la droite ligne pour aller a quebec.
14. Une grande Montagne ou il paroît la nuit quelque chose de si brillant qu'on le voit de fort loin les Sauvages m'ont dit quil y avait de l'argent comme celui duquel nous nous servons mais ye n'en ay pas pu avoir d'eux quelques choses que je leur ai peu promettre. Ils disent que les lieux ou il est, est presque inaccessible, ils m'en ont apporté une espece de Cristal que j'envoie
15. L'entrée du lac par où on peut aller Dans la riviere de Kenebique il ny a point par la d autre bois que des Chesnes les terres y sont fort plates et bonnes mais sujette a Inonder.
16. Une pointe ou les terres sont fort bonnes laquelle est au bout du grand rapide que l'on esuit en passant a la gauche par un petit Chenal
17. La maison de Quebiscint que les anglois avait commencé Laquelle jay faict achever, et ou jay toujours en des gens pour empecher les anglois de venir dans la riviere Il y a aux environs de fort bonne terre et point d'autre bois que du Chesne Il y a grand pêche de Saumon, d'Anguille et de Sardines et de toutes autres sortes de poisson Il y a aussi quelques chutes d'eau propre pour des moulins a seye.
18. une grand ances ou il y a de fort belle prairie qui n'ont point lesquelle ou ne peut habiter il y aussi où faire des moulins a planche et quantité de sapins pour cette effect et pour des matures.
19. L'Isle aux noisettes qui est presque toute defrichée et ou on peut mettre quelque habitans
20. l'Isle Dieu ou il y a quantité de bonnes terres du coquillage et des Chicadins pour aider a subsister les habitans

21. Un passage ou oniguin pour aller a Kenibiquy a droit et a gauche les terres y sont fort bonne.
22. Une grande ances sur les bords de laquelle il y a de fort belle matiere pour toute sorte de navire.
23. Le Cap de la Chevre.
24. L'entrée de la riviere S^t George qui appartient au Roy, il y a au mettre quelques habitans qui feront la pêche de Morue Commodement Un fort y seroit fort neces-
saire Estant le poste le plus voisin des Anglois.
25. La Maison de Jean bron qui fait la limite des terres de la Majesté d'avec celles de la nouvelle Angleterre.
26. Lance et l'habitation de Panicuit qui peut etre de douze ou quinze maison fort Ecartee
27. L'entree de la riviere de Kenibiquy l'habitation peut etre de 26 ou 30 maisons aussy fort éloignées les unes des autres Les habitans font la un grand Commerce de planches et de Morues et beaucoup de truite
28. La riviere de Pescedona ou il se fait le meme Commerce par les habitans que dans celle de Kenibiquy
29. la riviere de Comitou a l'embouchure de laquelle il y a une grande habitation dont les habitans ne vivent que du revenue de leurs terres et leurs bestiaux
30. Les Isles de Channes qui est le lieu ou il se faict le plus grand Commerce pour la pesche de toute la nouvelle angleterre
31. L'Isle de Mahinguin ou il se fait encore grande pesche De Morüe par les habitans mais qui ne sont pas en sy grande nombre que Dans lautre ou a toujours pretendu quelle appartenoit au Roy cependant la chose na point Esté decidée jusques hier
32. L'Isle de Montonique ou on fait la pesche de Morüe pour la provision de Pentagonet
33. L'Isle aux Renards ou il y a de fort bonne terre pour Etre habitée par des pescheurs Il y a aussi de fort bons havre pour des Navires.
34. L isle haut

- 35 L'isle et le fort de Larchisnagam ou les terres sont fort bonne et ou il y a quantité de Chesnes et des prairies qui ninnonde point.
- 36 Le chenal pour entrer par l'isle haut qui est le plus seure et les isles aux loups marins ou on en pourroit faire pescherée sy il nestoit pas detruit par les sauvages
37. les isles de la fouderie
- 38 les isles de Plaisances ou on peut amarer les navires et faire grand pesche de Marû
39. l'isle des monts deserts.
- 40 l'entrée du Chenal du sud est pour entrer dans la grande Riviere de Pentagonet
- 41 Une petite Riviere ou il y a quantité de Prairie, et de bonne terre qu'on pourroit habiter.
42. Un passage pour accourir le Chemin au l'on porte le Canot Et ou les terres sont fort bonnes —
43. Le Cap enragé.
- 44 Un sault ou on pourroit faire Deux ou trois moulins qui mondroit hiver et Eté Etant de leau de Marée
45. Un petit havre pour mettre toute sorte de batimens en seurete et les faire hiverner
46. Une terre platte ou il y a quantité de prairie et de terre pour habiter
47. La Riviere de houestotagois ou il y a de fort bonne terre, et de beau bois de Chesne quantité de grand Coquillage et beaucoup de poisson
48. La riviere D'amaté ou il y a de fort belle terre dans L'embouchure Et de beau bois pour toute sorte d'usages
49. Un Lac qui donne la Communication avec celle de St^e Croix et celle des Ethechemins ou il y a encore de fort bonne terre et des Chesnes dans l'embouchure.
- 50 La riviere de St. Jean
51. Une petite riviere qui se communique avec celle de Pentagonet en faisant quelque partage.

52. Le Commencement du Cours de la Riviere St. Jean qui prend aussi son origine au lac de sault de la Chaudiere ainsy que celle de Pentagonet et de Kenibiquy
53. Le Sault de la Chaudiere
54. quebec.
55. Labitation du Cap
56. Labitations des trois rivières
57. le fort de labitation de Richelieu le lac et les Isles St pierre
58. le fort et les isles de l'assomption
59. le fort et le lac St Louis
60. le fort St^e Thérèse
61. le fort St. Jean
62. l'entrée du grand lac de Champlain —
63. le fort de St Anne
64. Une riviere qui se va rendre au montreal
66. Un rapide qui fait la separation du lac de Champlain et avec celui du St Sacrement.
67. le lac St. Sacrement qui va a soixante lieües près des hiroquois
68. Un grand lac dans les terres.
69. une riviere pleine de rapid qui se rend dans celle de Pescadona
70. Un chenal pour entrer dans la riviere de Pescadona du Coste Du sudouest
71. Une autre chenal qui n'est pas seur que pour des Canho parce qu'il y a quantité de bature qui ne decouvre pas
72. Un Chenal encore que n'est pas seur que pour des petits batimens ny ayant pas fond deau.
73. Une pointe sur la petite riviere ou il y a quantité de sapins pour la Mature, de fort bonne terre pour habiter quantité Danguille et de toute sorte de poisson

Endorsed. Description de la Riviere et Terre de Pentagouet et lieux circonvoisins. —

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20 Octobre 1643.

Nous soussignés Relligieux Capucins de lordre Seraphique de nostre pere Sr. francois missionnaires en la nouvelle france Certiffions a tous ceux quil apartiendra que le 6^e. d'aoust 1643. les Anglois habitéz, a la grande baye pays de la nouvelle Angleterre, accompagnez de Monsieur de la Tour qui leur servoit de guide avec ses gens, sont venus faire descente en cette habitaõn du porte royal avec quatre navires, et deux fregates armés en guerre, Et ont blessé sept des hommes de Monsieur d'Aunay gouverneur, et lieutenant general pour le roi en la coste l'accadie, fait un prisonnier, et tué trois autres d'un desquels ils ont traine dans le feu d'un moullin qu'ils ont brûlé, avec un autre qui y estoit deja, après les avoir tellement mutilez, qu'ils n'etoient pas connoissables, lors que nous les avons Esté lever pour les Inhumér, de plus ont Tué quantité de bestiaux, Et pres une barque chargée de pelteries, poudres, et autrées denrées appartenantes a Mon dit sieur d'Aunay, laquelle venoit de son fort de pentagonet, Et ont Emmené un homme de L'equipage, qui estoit dedans le sus ditte barque a la grande baie, ou nous avons apris par ceux mesme, qui sont Echapez de leurs mains, qu'ils vendent et achètent les françois qu'ils peuvent attraper pour l'en servir pour Esclaves, Ce que nous voions ruiner entierement la Colonie, que mon dit Sr. d'Aunay a commencé d'Etablir au port royal, et autres lieux de la coste d'Accadie Et Empesche la conversion des sauvages, Et des cette année mesme nous Eussions Esté Contrainte de renvoyer dans les bois ceux, que nous avons déjà baptisés.

Il eust Esté le dernier Effort qu'a fait mon d. ^t. Sieur d'Aunay ce qui ne peut qu'il s'arrive d'autant qu'il ne peut plus fournir aux Excessives despenses qu'il lui a fallu faire, pour rembarrer les efforts de Sus d^s Anglois, qui depuis Sept ans l'ont toujours harcelé, desorte quil faut que lesemaire des sauvages, que nous avons sort aussy bien ruiné que

la colonie françoise. Si nostre bon Roy toujours porté et attentif a une actions de pieté et qui conserve L'honneur de sa Couronne ne donne des forces, a mon de Sieur d'Aunay, affin de poursuivre les genereux desseins, quil a de chasser ces malhereux heretiques Etranges Ennemis de la vraye religion qui n'ont fait que trop Connoitre a toutes occasions et speciallement dans cette derniere quil n'ont d'autre dessein que bannir les françoise Ensemble avec la relligion catholique apostolique et Romaine, meme de perdre les heureux Commencemens de la conversion des pauvres sauvages se servant a cet Effet du sus d^t. S^r. de la Tour tres mauvais françois, et beaucoup pere qu'eux par la vie scandaleuse et heretique que mene luy Et ses gens allons au presche lorsqu'il estoit a la grande baye Et permettant dans son propre navire que les heretiques fissent hautement prieres publiques en la presence d'un relligieux Recollet, ainsy que nous avons après d'un soldat du d^t. Sieur de la Tour blessé, et demeuré prisonnier entre les mains de mon dit Sieur de L'aunay, Et en outre se rendant lachement Esclave des sus dits Anglois, et marchant sous leurs pavillons, Toutes lesquelles choses nous assurons etre veritables, En foy de quoy nous avons signé cette presente attestation dans l'habitation du port royal, ce 20^e. jour d'octobre 1643. Signé

f. Paschal de Troyes pred^r Capucin Miss^{re}. et Sup^r. sus d^t.

f. Cosme de Mante pred^r. Capucin et Miss^{re}.

f. hypollite de brou pred^r. Capucin et Miss^{re}.

f. didace de Liesse Capucin lait Indigne

f. Cosme de Senlis Capucin lait tres Indigne

f. felix de Reims capucin lait Indigne

f. Joseph de St. Jean de lut. Capucin Indigne lait

f. felix de troyes Capucin lait Indigne.

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Lettre Ecrite par le Conseil de Lubeck en 1651 aux Com-
missionres de la Nouvelle Angleterre. Exp^{es}

Messieurs Il y a deja quelques années, que Messieurs de Baston nous ayant proposé de lier le Commerce entre la Nouvelle France et Nouvelle Angleterre, le Conseil etabli par sa Majesté en ces pays joignit ses reponses aux lettres que Monsieur notre Gouverneur en avoit escrit en vos quartiers dont la teneur estoit que Volontiers nous souhaiterions ce commerce. Et ensemble l'union des cœurs et des Esprits entre Vos Colonies et les Notres, mais que nous desirions en meme tems entrer en une ligne offensive et deffensive avec Vous Contre les Iroquois nos Ennemis qui nous Empecheroient ce commerce, ou du moins le rendroient moins avantageux et pour vous et pour nous. L'obligation qu'il nous semble que vous devez avoir a reprimer l'Insolence de ces Sauvages Iroquois qui tuent les Sokoquinois et les abnaquinois Vos allies; et En outre la facilité que Vous pouvez avoir dans cette guerre En nous y prenant, Comme il faut, Sont deux raisons qui nous ont Invité a poursuivre cette affaire avec Vous dans Vôte Cour des Commissionnaires. Nous avons supplié Monsieur notre Gouverneur de Vous en ecrire officiellment. celle cy est pour joindre nos diligences aux siennes, Et pour vous assurer de la dispositions de nos Cœurs et de tout ceux de la nouvelle France pour ce Commerce avec la nouvelle Angleterre, Et pour les desseins de cette guerre contre ces Iroquois qui douent être nos Communs ennemis: Outre le S^{rs}. Drüillettes qui cet hiver a deja commencé de negocier pour cette affaire. Nous avons été bien aisé qu le S^r. Godefroy Con^{er}. de notre corps ait été de la partie Le merite de ces deux deputez nous fait esperer une heureuse issue de ce dessein ils sont chargés des pouvoirs necessaires pour cet effet Je veux dire tant pour Noüer efficacement le Commerce Entre Vous et Nous que pour vous Soulager des Depences quil sera necessaire de

faire pour la Guerre dont est question contre les sauvages Iroquois. Nous vous supplions de les Ecouter et d'agir avec Eux Comme vous feriez avec Nous dans la franchise qui est naturel aux Anglois autant qu'à Nous autres françois Nous ne pouvons douter que Dieu ne Benisse et Vos armes et les nôtres puisquelles seront Employées pour la deffense des sauvages Chretiens tant vos alliés que les nôtres Contre ces barbares Infidelles qui n'ont n'y foy ni Dieu n'y aucune justice en tout leur procedé comme Vous pourrez l'apprendre plus au long des d S^{rs} nos deputés qui vous assureront du desir sincere que nous avons que le Ciel aille toujours Benissant Vos provinces et vous comble des ses faveurs Messieurs, fait en la Chambre du Conseil Etably par le Roi a Quebeck en la nouvelle france ce Vingtieme de Juin mille six Cent Cinquante Un, et est marquée signée p. le Conseil Et au dos est ecrit a Messieurs Messieurs les Commissaires des provinces Unies de la nouvelle Angleterre Colationné a la minutte trouvée aux hasses de l'ancien Conseil par moy Con^{er}. secretaire du Roy et Greffier au Conseil Souverain a Quebeck soussigné signé Penuseé avec paraphe.

*Nomination de Mr. De Godefroy pour traiter avec les
Commissaires de les Nouvelle Angleterre.*

Extrait des registres de l'ancien Conseil de ce pay^s
Du vingt^{eme} pour de Juin 1651.

Le Conseil assemblé a neuf heures du matin ou ont assisté Mr. le Gouverneur le R. Pere Superieur Mr. de Mause de Godefroy et Mencil sur la proposition faite au Conseil touchant certaine rescriptions faite par M^{rs} du Conseil en l'année 1648. Mess^{rs} les Commissionnaires des Etats de la Nouvelle Angleterre a ce qu Union fut faite Entre les Colonies de la Nouvelle france Et la nouvelle Angleterre pour faire le

Commerce par Ensemble. Le Conseil voulant satisfaire a leur demande, a fait et fait Nomination du S^r De Godefroy l'un des Conseillers du Conseil Etably par sa Majesté en ce pays pour se transporter avec le R. Pere Drüillettes en la d^e nouvelle Angleterre Vers les d S^{rs} Commissionnaires pour traitter et agir avec Iceux suivant le pouvoir a Eux donnée par M^{rs}. du Conseil dont Copie est Inserée a la liasse Comme aussy Copie de la lettre écrite aus d. S^{rs} les Commis-sionnaires de la d^e nouvelle Angleterre par M^{rs} du Conseil Et quant aux marchandises aportées par Un nommé Thomas yost sur l'assûrance et la bonne fai du R. Pere Drüillettes, le Conseil a deliberé quil seroit envoyé au devant de luy et ce pour luy designer lieu ou Il pourra livrer Icelles, Et ce en son têmes signé Penuset avec paraphe, Louïs Dailleboust Lieutenant general pour le Roy et Gouverneur de toute & Salut ayant été prié et sollicité tant par les sauvages chre-tiens dependans de notre Gouvernement que par les abena-quois demeurans sur la riviere de Quinibeck et autres lieux alliéz, De les proteger Contre

l'incursion des Iroquois leurs ennemis communs, ainsy quil avoit été ci devant pratiqué par le S^r De Montmaguy notre predecesseur en ce gouvernement, Et nous ayant de nouveau Rencontré que toutes leurs Nations s'en alloient etre entierement detruittes sy bientôt nous n'y aportions les remedes, Nous pour ces Causes Et pour le bien de cette Colonie et suivant les ordres particuliers qui nous ont été donnez de la port de la Reyne Regente Mere du Roy De proteger les Sauvages contre leurs dits Ennemis avons deputé et deputons, Et de l'avis du Conseil Etably par le Roy en ce pays et d'aucuns des plus Notables habitants Les S^{rs} Gabrielle Drüillettes Predicateur de l'evangile aux Nations sauvages Et Jean Godefroy l'un des Conseillers du dit Conseil Embassadeurs pour Eux Envers M^{rs}. de la nou-velle Angleterre pour traitter, soit avec M^{rs} les Gouverneurs et Magestrats de la Nouvelle Angleterre, soit a la Cour

general de Commissionnaires et deputez des Colonies Unies pour le secours d'hommes, de munitions de Guerre et de bouche pour attaquer par les lieux les plus propres et Commodes les dits Iroquois comm'aussy pour convenir des articles qui seront estimez necessaire pour assurances de ce traitté, Et pour accorder aus d. S^{rs} de la nouvelle Angleterre le Commerce quils ont souhaitté de nous par leurs lettres de l'année 1657. avec les articles clauses et conditions quils verront y faire de besoin, attendant l'arrivée de l'Embassade que nous enverrons de notre part pour ratifier et arrêter en derniere fin ce quils auront accordé. Si Prions tous Gouverneurs Lieutenans generaux Capitaines et autres de laisser librement passer &c. Collationné a la minutte trouvée en liasses de l'ancien Conseil par moy Con^{er} Secretaire de Sa Majesté et Greffier en chef au Conseil Souverain a Quebec sous signé Penuset avec paraphe. Collationné a quebeck ce 12. 9^{br} 1712.

Vaudreuil

Endorsed.

P. Lettres du Conseil de quebec aux Commissionnaires de la Nouvelle Angleterre resultent du d^e. Conseil et Commission de Mr, Dailleboust a L ambassadeur 1651.

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Sur les expeditions des Anglois en Accadie

Memoire de l'Estat present de L accadie pais de la nouvelle france. Portef^{le} 128 piece 28.

De vingt deuxieme novembre dernier 1664. Les Anglois de Baston en la nouvelle angleterre vurent y forcer une petite place scituée au lieu nommé Mirliquech terre de la

heve dans laquelle place ils donnerent par surprize sur les onze heures de nuit, et mirent main basse sur tout le monde et les vivres marchandizes et munitions de guerre au pillage ensuite ce retirerent au Port Rossignol ou ils y ont scitué une petite place pour garentir les pesches cedentaires quils ont estably a la dite coste de l'inquietude qu'avec toute equité lon leur pourroit cauzer,

Les francois quils ont pris cet année ils les ont exposés en vente, et d'autres quils ont deliberé moyennant quils signassent sur un registre quils ne porteroient plus les armes au d^t pais contre la nation angloise et qu'au cas qu'ils y contrevinsent quils se desclaroient eux mesne digne de mort.

Ils ont envoyé du dit lieu de Baston une fregatte desclarer aux navires pescheurs françois quils payeront des cette prochaine année le dixième de leur peche celon les loix d'Angleterre.

Les dits Anglois ont razé les forts de St Jean et Port Royal et transporté soixante deux pieces de Canons qui estoient dans les dites deux places au dit lieu de Baston.

Dans le dit lieu de Port Royal il y a pres de soixante dix a quarte vingt familles francoises lesquels y sont establies depuis cinquante ans et quy ont bien pres de quatre a cinq cens enfans né natifs au dit pais auxquels Les Anglois ont declaré depuis quatre anois quils eussent a ce dispozer de repasser en france l'année prochaine ce qui ne leur est pas peu sensible d etre obligé d'abandonner leurs travaux depuis un cy longtems.

Les dits Anglois esperent s'emparer cette année de toute l'Accadie celon ce quils ont declaré aux navires pecheurs lesquels intimidés de leurs menaces ont peine a se resoudre

Ce memoire a este donne par le St le borne du Coudray Lient de Sa M^{te} dans la côte de l'accadie. Il se plaint que depuis trois ans les anglois detiennent prisonnier un de ses freres a Baston auquel ils ont fait un très mauvais traitement.

Il demande si Sa M^{te} aprouveroit quil prit d'autres prisonniers sur les anglois et en les envoyant en France ou trouveroit bon de les faire garder

Il propose non seulement de maintenir son habitation du Coudray proche la heve, mais mesme de faire la guerre aux anglois et les Incommoder sur toute la coste de l'acadye en luy entretenant 200 hommes, Je crois qu'avec cinquante ou Suizante Il pourroit faire le meme effet.

a y aller qui est un negoce considerable la coste de l'accadie etant incomparablement plus considerable que la Riviere de quebeck a cause de sa peche et quelle est navigable en toute saison de l'année sur laquelle les dits Anglois ont encore empieté cet année pres de soixante lieues qui est bien loin de restituer les terres usurpées cy devant. Et sy sa Majesté vouloit commettre deux cens hommes soubz la conduite du nommé Du Coudray, l'un de ces Lieutenants au dit pais avec leurs paye et subsistance lesquels il joindroit a ceux quil a au fort Du Coudray au dit pais il se promet par le moyen dudit renfort et des habitudes quil a on dit pais depuis treize années quil y est assidu de rendre la coste libre aux navires françois d'en faire retirer les Anglois et de secourir les sus dites familles oppressées enfin d'empêcher les dits Anglois de metamorphoser la nouvelle France en nouvelle Ecosse comme ils pretendent.

Memoire de l'Etat present de l'acadye pais de nouvelle France Donné par le S. Coudray le 23 novembre 1665.

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No^{bre} 1667.

La Compagnie des Indes. Occidentales.

Sur ce qui nous a representé par le Sieur Nicolas Denis Ecuyer de present en cette ville de Paris qui des l'année mil six cens cinquante trois, l'ancienne Compagnie de la Nouvelle France luy auroit donnée et Concedé toutes les Terres et Isles scituées depuis le Cap de Canceaux jusques au Cap des Rosiers au dit pays de la Nouvelle France, Laquelle con-

cession auroit esté Confirmée par lettres patentes de Sa Majesté du trentie^e Janiver Mil dix cens cinquante quatre avec pouvoir au d^t Sieur denis de donner et de partir telle part des d^t Terres quil aviseroit tant aux sujets de Sa Majesté qui sy habiteroient quaux Originaires du d^t pays. Mais d'autant que les d^s Terres sont Comprises dans l'estendue des pais concédés a la Compagnie par l'Edit de son etablissement du mois de may mil six cens soixante quatre, lequel revoque toutes les concessions qui auroient esté accordées auparavant Le d^t Sieur denis nous auroit requis de luy vouloir Confirmer et entend que besoin est ou seroit donnees et Concedes de Nouveau les d^s Terres et Isles avec tous les privileges, droits, avantages Clauses et Conditions portées dans la dite premiere Concession et Lettres de Confirmation dicelle afin de luy donner moyen de Continüer a entretenir les Etablissements quil a formés et maintenues dans les d^s pays avec beaucoup de soin et de depenses. A Ces Clauses Nous Directeurs et Generaux de la d^e Compagnie reconnaissant combien il est Important pour le bien de la Religion et augmentation des Colonies de la Nouvelle france que cette partie soit Incessamment peuple's de sujets qui puissent travailler au defrichement et Culture des Terres. Avons au nom de la d^e Compagnie Confirmé et Confirmons Et autant que le besoin est ou seroit Concedé et Concedons de Nouveau au dit Sieur denis Ses d^s terres au Isles en toute propriété et seigneurie aux charges portées par la d^e Concession de l'ancienne Compagnie de la Nouvelle france scituées comme dessus depuis le Cap de Canceaux Jusques au Cap des Rosieres avec tous les privileges droite, avantages Clauses et Conditions portées dans la d^e Concession et Lettres patentes de Confirmation d'icelle, et a condition expresse que le d^t Sieur Denis Fera passer au dit pays pendant dix années a chacun dicelles Cinquante personnes de l'un et l'autre sexe pour le peupler et cultiver Et en cas qu'en quelques années Il n'en puisse Faire passer le d^t nombre Il le remplacera l'année suivante jusques a nombre

parfait bien entendu aussy que ou le d^t Sieur denis envoy-
eroit en Une année Un nombre excédant Cinquante per-
sonnes ce qui se trouvera au dessus tiendra lieu pour l'envoy
quil seroit obligé de faire les années suivantes a faut de
quoy les Terres qui ne seront lors occupées seront reünies
au domaine de la d^e Compagnie qui en pourra desposer
ainsy que bon luy semblera, Sans que le d^t Sieur denis y puisse
pretendre aucune seigneurie n'y propriété, Lesquelles Con-
ditions ont esté acceptées par le d^t Sieur Denis En foy de
quoy Nous avons Signé ces presentes Icelles fait contre signé
par le secretaire general de la d^e Compagnie et Icelles des
armes d'jcelle, a Paris le Neufième sour de Novembre Mil
Six Cent soixante sept Signé Brochamisl, Berthelon, Dali-
bern, Thomas Landais et Plus bas par Mes dite Sieurs Les
directeurs g^{naux} Daulis et scellé de cire Rouge.

Survey of land for Richard Seacomb.

By virtue of a Warr^t from his Excell^y Sr Edmund Andross
Knt^t Cap^t Gen^{rl} and Gouver^e in Chiefe of his Majesties Terri-
tory and domminion of New England bearinge date y^e 6 day
of octob^r 1687 to me dyrected haue Surueyd A Certaine
parcell of Land for Rich^d Seacomb Cittuated and Beinge in
y^e Towne of ffalmouth in y^e prouince of Maine wheareone
hee Now Liueh and hath made Large Inprouements theare-
on and is bounded one y^e N E with Land purchassed by John
Smith one y^e S W with Back Coue W with James Ross N W
with Lands Claimed by a Towne Grant of John Browne;
Raynging from a heap of Stones or A Certaine Stone att
the S E Angle by y^e Watter Side N W twentie Eight
chaine to A Crick Side Called Secombs Crick then S
54^d. Westerly 30 Cha: to y^e poynt att Back Coue and
from thence by y^e Coue as itt Runs to the S E wheare ffirst
began Contt fiftie fower Acres then from y^e N W side of
y^e Crick Raynging: N. W. 80 Chaine to y^e ffence of John

Browne yⁿ S W 6 Chaine to A Burch Tree then S E 79 Cha : to ye Crick Contt 48 Acres y^e whole beinge on hundred and two : Acres together with A parsell of Massh Lyinge Neare Back Coue att A place Knowne by y^e name of y^e ffresh masshes and is 10 Cha Square : Euery way : bounded one y^e E N E with vpland of John Browne N W with vacant Lands N^o with Joseph Otwell : S W with vacant Lands and Contt 10 Acres which is Certefyed p me

Rich Clements Dep Survey^r/
Examined p Phillip Welles Surv^r/

James Russell's Claims.

To all whom it may Concerne

James Russell of Charlestowne claimes these Seuerall parcels of Land in the prouince of Main which are hereafter Expressed viz/

In p^r One Island in Casco Bay comonly called Long Island w^{ch} John Seers Sold vnto m^r Isack Walker of Boston in y^e Year 1655 as appears by record & deed as Also, sd Walkers Sale to my honored ffather Rich^d Russell Esq^r to whom I am Executor y^e Island is bounded or described in the deed thus y^e Wester End lyeing to Huswife Sound y^e other End to y^e No : East reaching to Luxton s Sound.

2^{dly} A plantation y^e said Walker bought of ffancis Small & sold my aforesd ffather w^{ch} lies in Casco Bay ouer Against Clabboard Island w^{ch} was formerly possessed by John Phillips & others & was bounded by y^e Eastward to y^e Coue goeing down to y^e Lands Towards Henry Webbs & to y^e West w^d by y^e Two Saw pitts w^{ch} are farthest westward w^{ch} Eastward & West w^d bounds or to run vp y^e great Swamp beyond y^e Hill According as y^e creeks go. The Two parcells above

mentioned were confirmed to mee by the Generall Court in May 1683 as appears by their Records where y^e deeds are Entered.

3^{dly} A parcell of Land y^t was Mortgaged to my aforesd ffather by m^r Hugh Gunnison Anno, 1654 being at Kittery on y^e No: East Side of piscattaq^r in y^e County of Yorke w^{ch} was deliuered to mee by Execution in August 1678, and has Since been in my possession w^{ch} containes twenty one Acres three quarters & twenty poules As apeares by A plat of y^e Same & is bounded partly by y^e great Riuer & by Crocket s Neck, by Spruce Creek by Crocket s Coue & partly by Major Shapley s Land.

Dated in Charlestowne April 12th 1688

p Ja: Russell/

Report on Mrs. Phillip's claim

In Pursuance to An Order of Councill bearing date y^e twelfth day of July One thousand Six hundred Eighty Eight

I have Viewed and Examined all the Papers and Writings that M^{rs} Phillips hath Delivered For and Concerning her Pretentions to the Land on Saco River and Do find as followeth.

That the Councill for the Affaires of New England in America by their Certaine deeds Under the hands of Robert Warwick E George S^r Ferdinando George and Thomas Smith and the Comō Seale of the said Councill bearing date the twelfth day of February one thousand Six hundred twenty nine they did give Grant Enfeof and Confirme unto John Ouldham Richard Vines their heires and Assignes all that Part of the Maine Land in New England Caled Swack-

adock Lying and Being Scittuat betweene the Cape or Bay Commonly Called Cape Elizabeth and the Cape or Bay commonly Called Cape Porpus Contayning in Breadth from North East to South west along by the Sea four miles in A Straight Line Acounting One thousand Seaven hundred and Sixty Yards According to the Standart of England to every Mile and Eight English Miles up in to y^e Maine Land of the South Side of the River by Swackadock after the Same Rate from the Sea Through all the Breadth with all the Shoares Creeks Bayes harbors and Coasts Alongst the Sea within the Limitts Aforesaid with the Woods and Islands Adjoyning to the Said Land not being all ready graunted By the Said Councill Yielding and Paying unto Our Sovereigne Lord the King One fifth Part of the Silver and Gold mines & also Unto the Said Councill of New England and their Successors and Assignes the rent of One Shilling Lawfull Money of England for Every hundred Acres &c//

I do Also find that the Above named Richard Vines by his Certaine Writing under his hand and Seale Bearing Date y^e Last Day of September one thousand Six hundred fourty five did convey and Sell unto Robert Child Phisicion his heires and Assignes all that Parcell of Land on y^e South Side of y^e River Swackadock Alias Saco in the Province of Maine as is Said in the Above Graunt but find No Conveyance from said Child or from any Under him So Cannot discover that the said Phillips hath any Title to the Land within y^e Limitts Above Specified.

Ja : Graham/

Survey of Land for Rob^t Elliot Esq.

By vertue of a Warrant from His Excell^{cy} S^r Edmond Andros K^t Cap^t Generall and Cheif Governo^r ouer his maj^s Territory and Dominion of New England Bearing date in Boston the 20th ffebruary 1687 haue surveyed and Layd out for Rob^t Elliot Esq^r as followeth viz

A Certaine farme Cituate lyeing and being at the Village of Dunston within the limmits of the Towne of Scarbrough in the province of Maine beginning at the Corner of a Cove by the River Side and from thence Ranging 186 W 6 Chaines to the Corner of the same ffence and from thence W S W. two Chain to a Black Oak marked and from thence W. 100 chaine to a maple tree And from thence N. 15 Chaines 31 links to a maple and from thence Est 100 Chaines to a stack by Shawes Gutt side. And from thence as the said Gutt Angers Crick & River Runns to the ffirst Station and as bounded on the North. by John Palmer. on the South by John Austin: At the head with Vacant Lands on the East with the River Cont. One hundred ffifty and two acres of Vpland and Sixty three acres of Salt marsh.

2^{ly} Annoth^r ffarme lyeing and being at Blew point In the same Towne and province Beginning at the stake placed by the River side from thence Rangeing in length W. 85 Chaines To a Hemlock tree marked which Standeth by a Brook Side and from thence in Bredth North 19 chaine to a Great white Oak. And from thence East 85 Chain To a Stack by the River Side and ffrom thence as the River Runs to the first Station and Is bounded west with a Brook on the north with philip ffoxwell, South with the Claim of Dunkin Sheward on the East with the River Cont One hundred and sixty one acres and a half of upland and Twenty acres of Salt marsh in all 161½ Akers.

3^{ly} A parcell of Salt marsh lyeing at Blew point begining at a Certain Rock, and from thence S. b E. 23 chā. to a pitch pine w^{ch} Standeth near the Sea Side and from thence W b S ½ S^{ly} 15 chain to a stake and from thence N W. 37 chaine to a pitch pine and from thence Est 36 Chaines to the first Station bounded on the South with a Slip of Upland by the Sea & on the North & East with Vacant upland East & west with Vacant Marsh Cont 65 Acres ½ and 8 Roods

4^{ly} Another parcell of ffresh Marsh lyeing at Mill Crick
at Dunston Cont. two acres and is Called the Round about
all being Surveyed according to the magnet by me
vpl^d 292 acres Rich^d Clements Dep^t Surve^r/
150 $\frac{1}{2}$ marsh

4^{ly} A Small Island of ffresh massh Called y^e Round
About Lying att Mill Crick att dunston Contt two Acres

Letter Rich. Clements to Philip Wells Aug. 15, 1688.

Mr Wells

Sir/ I haue Sent you Mr Eliots Returns which Are pro-
tracted by A Smaller Scale yⁿ my fformer by Reason y^e other
wass distant from me He will pay you: one pound thirteen
shillings= I this day heard from Mr Galle: S^r

I sent his Rettturns four monthes Agoe — Mr John browns
John Smithes & James Ropes all in one plot of Large paper
if one be Lost they are all:// but How Ever I haue y^e Same
in my Genarall plott: Not Else att p^rsent but Rest

Your humble Serut

to command —

Aug^t 15th

Rich Clements/

1688

black poy^t

S^r Since y^e fformer wass writt I heard some thinge of
y^e discourse y^t m^r Andrews had with you I ordered him to
pay you thirtie fower shillings which wass your due but I
belue he offered you nothings it beinge Late in y^e Night
I had not time to wright trustinge to his honest word but I
suppose hee did not render you the money but since he hath
made A truble in tellinge y^e people y^t theaire Rettturne will
not pass & y^t Som are Lost I Know of noe Rettturn since
my Last Cominge but you weare ordered money by those
y^t weare Cappable to pay itt this will occation my Cominge

to boston before I cann finish my Gen^{all} plott: & shall giue
 you An account of Eurye perticular I hau bine thought fitt
 to be intrusted with a greater Consirne then this Although
 now not & am veary sorrey your oppinion is No better
 of me. R C:

[Superscribed]

To Mr Phillip

Wells Siruey^r Genar^{ll}

att Boston

p sent//

Testimonies of Joseph Graues, Mary Graues & John Rutter.

Sudbury y^e in New england being the Place
 3 January 1688 & Day the Deposition refers unto.

The testomonies of Joseph Graues seni^r aiged 46
 yers or thear abouts

And of mary Graues aiged thirty yers or thear
 abouts and of John Rutter aiged 40 years Witt-
 nessteth that Solomon thomas Indian Being att the
 house of Joseph Graues: wee heard said Soloman
 thomas Say That when y^e fight att the East ward,
 should bee: if the Indians had the better of itt
 as: the English did .retreate y^e friend Indians wear
 near to shoot them downe

but if the inglis gett the day wee say nothing.
 2^{ly} that in the spring french and Irish would Com to
 Boston as many and all one as Indians for that
 was the first plase that was to bee destroyed and
 after that the Countery tounes would bee all one
 nothing.

3^{ly} That the Governour had Given said Solomon a
 booke that was better then the bible and all that
 would not turn to the governor reledgon and owne
 that booke should bee destroyed/ in which booke

hee the said thomas said was the pictur of our Savior and of the virgen Mary and the twelve apostls and the governour says when we pray wee pray to the virgen Mary, and when the fight should bee att East ward the governor woold sit in his Wigwam and say o braue Indians this and much mor may bee said.

Joseph Graues Mary *W* Graues John *X* Rutter
her marke. his marke.

When wee had made this presentation to Justes Bullevant and hee had parused it hee said a parsell of felows had devissed a parsell of lys and had fathered them on a pore Indean and soe lidgiat & m^r Randolph Grayham and Brokvs coming in and after examination they Committed mee Joseph graues to prison. noe bayle would bee taken allthoug three hundred pound baile was profered—and when said graues came to the prisson hee desired hee mait stay in the prisson house that night but one hundred pound bayle would not bee taken butt hee must to y^e Comon Joyle

Next day Joseph graues Joseph moore Ems and John Rutter weare Comanded to the House of Coll Page and after Exsamenation wer commanded againe to Joyle every man appart not suffered to speke one with another

Two days after being called forth againe two of vs wear freeid vpon one hundred pound pr man: and giving seven shill six pence pr man: for wrighting a bond/ and Joseph graues and Jn^o Rutter Being appointed to Judg palmer the next day when wee had gotten bonds men according to law the wrighting of our bonds Cost vs one pounds seven shill & six pence pr man. Said Graues sending word to Judg Dudly why wee mait not

Com out as cheape as the other two hee sent mee word if wee had com out when the other did wee mayt butt now we shovld not wheare vpon said Graus sent word to Judg palmer that hee Could Easuer ly in Joyle till the Court then give soe much mony to be relested becacus hee was a pore man—

Sudbury in New England

th 22: th March 1688

Thomas Browne aiged

sn^r aiged 54 yers or

John Goodenow

John Grout Sn^r yers or

Jonathan Stanhope aiged 57 yerr or

John parmenter 50 yers or theare abouts Wittneseth that wee heard John James Indian of his owne voluntary mind say that the governor was a Rouge and had hired indians to kill y^e English and in particular had hired Wahoway to kill English men and that y^e Governor had given said wahoway: a Gould ring which was: His Commission which Govld: ring: said wahoway Sovld to Jonothan Priscutt for two shillings in mony: whear vpon wee replied Sirrah you deserve to be hanged for what you say whear vpon said John James againe replied. what you papish all on Governor I speake itt before Governor very safe

Thomas Brown John Goodenow sn^r

Jonathan Stanhope John Parmenter/

Wee whose names are aboue written haueing receved this declaration from John James, we thought it our duty forth with to informe authority and did with the Indian: presently apeare att watertow before Justis Bond whear the said

John James did volentarily give His owne Testemony to said Justes bond/ which after hee had Taken Justes Bond ordered John Goodenow and Thomas Browne and the Indian to make theare appearence forth with eather Beefore the governor or one of the Councill which accordingly wee did. when wee Came to the Governors house aftar long waiting in a very wett and Could night wee wer admitted into the Governors presenc whear wee wear detained till aleven or twelve of y^e clock in the night and aftar a very vnkind treat we humby praid his Excellency to pleas to discharg vs of the Indian but hee tould vs no: and Joked vs and said wee wear a Cupple of braue men and had the Command one of a troop of horse & the other a Company of foot and could wee nout know what to doe with a pore indian: further hee asked vs what mony wee gaue y^e indian to tell vs such nuse and Commanded vs still to take care of thee Indian still vntill his plesur was to Call for vs again and thus as wee would answer itt Thus being severly Chiddne out of His presenc wee wer forsed with the Indian to seeke our quarters whear wee could find them. next morning wee weare preparing to Goe hom again to Sudbury being twenty miles or moor beeing Satarday wee wear again by a messenger from y^e governor Commanded with our indian to wait on the governor which we did and waited att the exchange from nine a clocke in the morning till thre aelocke or fover in the aftarnoone whear in the face of the Contry wee wear made to waite vpon the indian with many Squibs and Scofes that wee met with all.

Att last wee wear commanded vp befor the Govornor & his Counsell whear wee wear exzamened apart over and over and were about the Setting of the Sonn, wer granted leaue to goe home Beeing the eueing befor the Sabbath

Thomas Browne/
John goodenow/

The next munday following Jacob Moor Joseph Graues Joseph Curtis Joseph Moore Obadiah Ward wear by y^e Sherif fetched down and aftar exzamenation Jacob Moore was committed to close prison Joseph Moor Joseph graues Joseph Curtes & obadiah Ward wear sent home againe paing to y^e shrefe twelve shill. pr man

Joseph Graues Joseph Curtis Jacob Moore/

And the next Munday morning following the Shrif and his deputy sn^r Came vp to Sudbury and Commanded: Thomas Brown John Goodenow John Grovt sn^r Jonothan Stanhope John Parmenter forth with to appeare att boston att the House of Coll page Butt being a wett and Cold day wee wear detained att the House of Judg Dudly s aftar long waiting had the kindness Showne vs as to haue an exzamenation every man appart befort Judg dudly Judg Stoughton m^r Grayham and other whear wee were bound over to answer at the nex Superior Court to be holden att boston what should thear bee objected against vs vpon his majetis acompt.

Thomas Brow John Goodenow sn^r John Grovt si^r wer bound in three Hundred pound bond par man and each man two Surtis in three hundred pound a peece John parmenter Jonothan Stanhope wear bound in one hundred pound a peece

Thomas Browne
Jonathan Stanhope

John Goodenow
John Parmenter/

Beesids y^e lost of our time the Reproch and Ignomeny Bonds and Imprissonment that wee pore men haue ben the Subject for no other caus in the world that we know of but because wee had discharged the parts of Honest and Loyal Harted men/ wee shall ouely take the boldness to give a

tru accompt of what monis wee wear forsed to Exspen out
of our own purses which is as followeth

by the Sheref & other neceary charges

	£	s		£	s
Thomas Browne.....	02	00	Jacob Moore.....	03	00
John Goodenow snr.....	02	00	Jonothan Stanhop.....	00	15
John Grout snr.....	00	10	John parmenter.....	00	15
Joh Rutter junr.....	03	05	Joseph Graues.....	03	15
Joseph Curtis.....	0	17			

Letter Joseph Prout to the Gov^r & Council.

To the Honored Governor and Councell

ffrom On board the Ship Orang Tre at ffalmouth

Haveing but a minute or two of time now to write, the
vessell being at Sayle by whome I now Send, Thought it my
duty to give you an account of what I have noated down
from an Indian Prisoner now on board this Ship, w^{ch} was
taken at Pemaquid it being an examination taken before
Cap^t Davis who is now here present, The Cap^t of the Ship
Seems to be much Concerned for the Good of the English
here, and for that end came in heither, he is not yet deter-
mined in his minde whether to leave the prisoner here or to
bring him to Boston.

Our Soldiers here begin to Inquire for Cloathing Shoes &
Blankets, and if you think good to allow them sumthing
Suteable to make Straw beds, our Captaine desires y^t some
Swan Shot may be Sent, here is wanting about 6 m̄ of
Shingle nayles to cover the Stoar room in the fort also a few
Single & duble board nayles, also a paire of Smiths Bellows,
Also I would request your Honors to Intemate to me what
allowance of Rum the Soldiers must haue, as yet I have
allowed them a pint among Six men for each day they are
upon a March, they Expect the Sam while they be Still
being tould by some here present that the Cuntry allows it,
please to give me orders what to do in that case, Our pork
is most part of it Spent, please to give me order to Impress

some Cattell or rather Send Suteable effects to purchase the same w^{ch} I suppose will be cheaper so to do. I suppose Cap^t Phillips can Inform what goods are Suteable for this place, please to Excuse my rude brevity in haste remayn

Your Honors humble Serv^t

Joseph Prout/

Septemb^r y^e: 18th 1689

Hono^d major in obediance to yo^r ordar in our vessells and with our fuell and by our Labour one of the indion cap^t Danils Companys had their ffoode dresed in our hous whearby we ware preuented of doeing any bussines but sarueing yo^r ordar the which we did both of us for six days and my demand is if you think good 1^s - 6^d pr day the which amounts to 0^e - 9^s - 0 for mele which they had for thickening thair broth $\frac{1}{2}$ a bushell

0-1-0

for salt -

0-0-6

Boston Septemb^r y^e 13 to y^e 19 Dito 1689.

Acomp^t Debt^r

ffrom Mage^r Church to y^e Worshipfu^{ll} Mag^r Richards & Doct^r Cooke for & in y^e behalfe of ye Countrey

Impe^{rs}// TO 6 English Inferrior Offi- }
 sers Constant besids other }
 visiters dressing their Diett } $\begin{matrix} \text{£} & \text{s} & \text{d} \\ 00 & : & 10 & : & 00 \end{matrix}$
 Lodging & Board }

ffo: 64 of Cap^t Vmpassis Indeons & 34 }
 of Cap^t Amos his Indeons Dressing }
 their Diett & seurall other trouble in } $\begin{matrix} 01 & : & 10 & : & 00 \end{matrix}$
 said Affeaes }

to one Bushell Indeon Meale of s^d Acc^t $\begin{matrix} 00 & : & 02 & : & 00 \\ \hline 02 & = & 02 & = & 00 \end{matrix}$

From Major Swayne Rs^d y^e 24 Sept^r 1689.

Winter harbor Salco: Sep^{tr} y^e 20th 1689.

Honr^d Sirs

after respects to your Honours, these are to give your selues to understand y^t this day my selfe and y^e officers in Co^mission with vs and some of y^e Gentle^m of the place: takeing a survey of the fort att Salco ffals, and the lamentable exposed Condetion of y^e Inhabitants, as also vnderstanding y^t y^e Governour & Convention had promised thirty Soldiors for the releife of y^e place of which there is but nine, considering also what bennefitt y^e fort may be of: not only to y^t place but y^e places y^r abouts do intreat y^t there may be a party of about twenty or thirty able men more ~ y^t so y^t fort may be maintained for it is A place worth y^e keeping (in it selfe) besids y^e other circomstances: y^e man y^t belongs to y^r place promiseth to returne thether with his famaly If there be but any Considerable strength to keep it, nought Else but your Honours Humble

Serv^t Jer: Sweyne/

there is not only y^e Saw mills but a very Good grist mill and there is not an other hereabouts, besids it is their present frontier: ~ pray pleas to lett m^r Sarj^t haue a speedy answer for we aprehend it very momentous

“ffor the Honoured
Governour and Councill
of the Massathusets
Collany
Sitting
in
Boston” ~

7^{br} 21st 1689 A Liste of the men that was slaine in a
fite att ffallmoth & all soe how many was wonded in
said fight.

of Cap^{tt} halls sowldes

6—	$\left\{ \begin{array}{l} \text{Thomas Burton} \\ \text{Edward Evens} \\ \text{Thomas Berry} \\ \text{John Mason} \\ \text{David Homes} \end{array} \right\}$	of Cap ^{tt} hals 6 slaine
----	---	---------------------------------------

of Cap^{tt} Daus Comp:

2—	$\left\{ \begin{array}{l} \text{Giles Row} \\ \text{Andrew Allger of the Towne} \end{array} \right\}$	to the forte
2—	$\left\{ \begin{array}{l} \text{an Indian} \\ \text{an Nagro of Colō Tyngs} \end{array} \right\}$	
1—	Cap ^{tt} Brakett Careied away or slaine —	

11

Wounded men

6 Indians — friends

of Silv^a Davis Comp.

4—	$\left\{ \begin{array}{l} \text{James freese second} \\ \text{Mr Bremhall} \\ \text{Tho: Browne} \\ \text{mr. Pallmer} \end{array} \right\}$
----	--

10 Wonded

11 Slaine

21 Totell slaine & wonded

*Letter Silvanus Davis to the Gov^r & Council.*fforte Loyall 7^{br} 22th 1689.Honor^{able} Gentlemen

I am sensible (with all s^{vb}mision to yo^r Honou^rs of yo^r Grate Care in sending Releife to our poore Distressed province as allso nothing Can bee more taken Notice off then tho^es Grate smiles of providence that God Almighty shoold soe order it that the worthy Maj^r Church & his sowdiers Both White & Blacke theire Arrivell should bee Juste in s^{vb}ch Time of Necessity the winde & weather Affording him a happy passage all so his Exceeding Ready Willingness and Willing Readiness to serve their Majestyes in this interprise & Grate zeale in Defending vs) & offending the Enemy to his vttmost strenght & power Juste Then Landed from sea (Being beyond expectation) for on the 20th of this Instant Late in the Affternone hee Landed him selfe & Immediatly went on boord the Duch shipe to discorse the English wooman that thay had Redemed from the Indians that by discorsing said wooman hee might know the Enimys proosedings the better to know what methods to Take in the p^rshute of the Enemy Late in the nighte hee Landed his men that thay might not bee discovred in thaire Landing = on the 21th wee had an allarm in the morning by vertve of about twelve firings on Cap^{tt} Bracketts plantation the enemy ware discovred wee marcht out & Ingaged them about six houers a fierce fight ~ forced them to Retreate & Judge many of them to bee slaine thaire number being Grate Judged to bee betwixt 3 & 4 hundred & thare was Grate firings on Both sides the Enemy as thaire Custom have bin Adventred hard to Gett of thaire slaine & was harde in thaire Retret throw a swampe to Cut downe peesles to make protections to Carey them of) wee had soom men slaine & soom wounded which yo^r Hono^rs have a perteculer accop^{tt} of) had ou^r fforces knowne the Ground & sufficient svpploy of Ammunition (ou^r Allarem being early in the morning &

thaire Landing Late ouer night wee had Don more Execv-
tion on the Enimy) But nothing Could bee more Don &
expected then the worthy major & Comanders performed
both in persons & Comandes all soe the exceding willing
nesse both of the souldiers & ou^r Inhabitance in this
Attacque is to bee acknowledged a grate and vndeserved
mercy gentellmen yo^r Care for vs wee Thanke & hope that
as you have vndertaken this Interprise you will pross-
eevte it with Gods assistance to effecte in subduing thoes
whoe are the Grattest Enimys to God his Cavse vs & ou^r
peaceable settlement I Have noe more at p^rsent aquante yo^r
Hono^rs Take Leave to svbscrib my selfe

Yo^r Honors moste Humble sarvant

Silvanus Davis/

ou^r souldiers in the forte are all moste naked it Grevfs
mee to here them Complayne. Espeshially in the night
when thay are vpon Duty

ffalmouth 7^{br} 22th 1689

To The Honored Gov^r & Councell

These are to Signifie that it will be needfull for us to have
a Speedy Supply of all things Nessecary for the Supply of
our Army. We Shall want another Chirurgeon besides hime
that is alredy here, his hands being full at present full with
those men alredy wounded, and it will be needful for one to
March wth the Army, It being my present Intentions to
march out after the Indians as Soon as wee can understand
w^{ch} way they are gone, It will be Nessecary also that wee
have a Supply of Some Spare arms, as also a p^r of Smiths
Bellows, and Some Stoar of Smaller bullets, we might have
done more Execution upon the enemy yesterday if we had
Sizable Shott and better powder, I do expect a Speedy &
full Supply of redy made cloathes as wastcoat drawers Coats
&c and also a good quantity of red & white cotton & duffells,
& two or three hundred paire of Shoes of all Sizes fitt for men,
As for the Minester of this place I am well Satisfied with

him, he being present with us yesterday in the fight, and wheras his present maintainance from this Town by reason of thier poverty, is not enough for his livelihood, he haveing not for a long time recd anything considerable for the time past, in so much that he had thoughts of removeing befor I came, but I shall Encourage him to Stay promissing him an allowance from the publique Tressury for what Servis he shall do for the Army, I am also pretty well Satisfied wth the Chirurgeon w^{ch} is here, and hope you will Send a Supply of Medesen & cordialls Sutable, that as our men are like to Indure hardship & hazard whilest abroad I would not have them want any thing Suteable for thier reliefe, I must request your Honors not to faile of Sending a Supply as well of what I have mentioned as also of what your honors may think Needfull for the Supply of our army that Soe our designe against the Enemy may not faile for want of what is Nessecary, w^{ch} wth my humble Servis to your Hono^{rs}, is all the Needfull from Gentlemen

Your Honors humble Serv^t
Benjamin Church/

Joseph Prout to the Gov^r & Council.

Falmouth 7^{br} 22th 1689

To the Honored Governor and Council

a pr of Smiths bellows
Shoes
beds
coats breeches
Wastcoats drawrs
blankets
Small bullets
Swan shot
Some better powder
a good quantity
of stockins

These are to Signifie that I recd your Honors Letter p m^r Aldens, p^t of the goods & provissions I have alredy recd on shore, the rest are yet on-board, being hindered yesterday by reason of an Ingagem^t wth the Indians, concerning w^{ch} Shall refer to letters from such p^{ns}ons who have more leassure to write then my Selfe hath, all the duffells was delivered

out among the Indians before it came on shore by the Majors order, as also all the cottons was delivered among the Indians yesterday, & this day all the Shoes among the Indians and Some of the English, and that by the Majors Speshall comand as also all the Stockings, except half a doz p^r of Shoes and Stockings w^{ch} I have privately reserved for Some who are in most present want. here is great want of cloathing among the Soldiers, as blankets coats, wastcoats drawrs, as also Some beds or Crocos to make Straw beds, for I fear our wounded men do Suffer for want of warm lodging, and those who are well do expect Some thing of lodging for them, (to keep them well), most of the bullets as yet come to hand are musket bullets Smaller are more wanted, great wast is made in our hurry for want of a due care in those who put up what is Sent in not directing by mark and Number where to finde what is Suteable, great part of this Saboth is like to be Spent in makeing musquit bullets into Slugs, I hope your Honors will Send a Speedy Supply of what is needfull, I have written to m^r Tho Michelson at Saco desireing him to Signifie his wants, wth a promiss to Supply him wth what I have in Stoar but I doubt here will be but little left by such time as I receve his answeare, it is not

possible for me at present to Keep any thing in my hands w^{ch} the Soldiers wants, for the Major Commands a Supply for his Soldiers as far as it will go. I shall not farther Enlarge Saveing to noat in the Margent the Severall Wants at present in minde & Subscribe my Selfe your Honors humble Serv^t:

Joseph Proutt/

“From Major Church Rec^d 24th of Sept. 1689.”

Honor^{able} Gentlemen

I Canot but acknowlig Gods Grate Goodnes in Giuing shuttable winds & A quick pashage for the Arrivall of my selfe & forces at this place which I hope will by Gods blessing, proue for the Glory of his Grate Name theire Majestys Intrest. & the Releife of thes Pore Distresed peopell Amongst whome I am Come thes Come to Aquaint yo^r honours that I ariued at this Towne of fallmouth upon the 20 of this Instant in the after noone whare I landed my seelfe: Keeping my men as Close on Boord as possoble that thay might not bee Discouered by the Enemy my selfe being Landed i found Good Cap^{tt} hall with his men in Good health as allsoe the Inhabitance manifested thaire Grate Joy of my Ariuell by thaire Redy Assistance for our suply which was more then ordenary upon such a sudden Arivell the same night I Landed our men it being late I had not time to fitt ou^r sowldiers many of them very much ought of Case not beeing ussed to the Sea in the night I Cawsed Cap^{tt} DAVIS to Conuene the Commity togeather to Consider what saruis might bee of most use vpon the presente Expedition for the Intrest of the Country & Destruction of the Enemy as uery early in the morning: I sett Abought fiting our

sowldiers with Amonetion & nessecarys for A march but in the midst of our bisnes before halfe of our men Could be Sarued all though wee used all speede posible we Receued An Alarem by the firing of about 12 goons att Captt Brackets faraime hee being Gon thathir Early hardly known by any of his Going: wheather we marched away with all speed both English & Indians Both Commanders & Sowldiers & the Inhabitance of the Towne with an ondanted Corrage Soom Difficulty wee had to Geat to the place by the Reason the wallter was up that our men ware forced to wade ouer a Cricke whareby the Enemy had Grate Aduantage against us we Receued many uoleys of shot from them before ou^r sowldiers Could Gett ouer said Crick besides the many fences that the enemy had for thaire shelter & thaire number being Grate as Judge by many betwixt 3 & 400 from said fences we Receued Showers of Shoot as haille but ou^r Sowldiers Both English & Indians being not on a quainted with the manor of Indian fitting (A i must Confes I haue not met with a harder Charge from anny Indian Enemy then from thes at this time) as soone as ouer said Crick our Sowldiers sheltred them seleus as well as thay Could & Charged the Enemy with thundring pealls of shoot many of the Enemy was sen fall but thaire number being Grate thay ware sen hall thaire slaine away in the prosecution of which many more of them ware shot downe & more Came to do the Like saruice Loste thaire Laifes the fight heald for About 6 or 7 hours from first to Laste we Beate them away into A swamp near the place whare we fought our men being much tired newly Com of the Sea & fastting we war not in Cappasety to pershew them in to the Swampes & Considering thaire Grate number we only kept our Ground our peopell sending after them valeys of shott & Shouts with Acclamations of victtory & wee ware answred from them only with silence: it is known that thaire waire A grate many of them Killd & woounded by seing them fall & all soe the Tresses of the blood whare thay had halld them away wee

Lost some men of our Sowldiers & the Inhabitance & some woounded as p^t Accompt^t List we haue Grate Cause to Giue Glory to the God of Aremeyes whoe Giues Corrage in the day of Battell for naither Death woonds nor numbers of the Enemies Did at all Discourage our Braue Commanders nor Sowldiers but all with bowld Coorage & undanted Resolution prosecuted the fight & the Lord of hosts apered for our deliuarance Considiring thaire Grate numbers the most Disadvantages place to us & our Being very on Provided for such a sudden assalte I am not to forGet the Corage of the Inhabitance of this Towne thay marched ought valenterely with the first maintained the fight with the best & marched of with the Last behauing them selues Like men willing to defend thaire Country as in all Battalls thaire Are soom apinted for the soord soe in this we Lost some & otheres wounded but I hope most of those that are wounded if not all by the Blessing of God may Recouer in the Euening wee Got hom our woounded & had them well tended & allsoe Got home our slaine Drawd all our sowldiers to Geather nere the fort whare wee had Mr Ralphe Return thanks unto the Lord for our Deliuarance & in Giuing us Grate Cause to Acknowlig his Goodnes that in our first enterprise hee would soe smile upon us & fight for us as to make the Enemies fley before us all Glory bee to his Grate name whare as your honours was pleased to Give a Good Carrectour of Capt Dauis I doe Asshure you it is what he desarues for i do find none soe Redey with all diligence withought any warrines day & night to sarue the Country as all soe wee Receiue dayly Kindnes from him & his & still thay say wee are hartely Wellcom he haue ben & is still a uery Great Instrument for the uphowlding these parts his Care is much for the woounded men & I must neds say for all men according as to what I finde I haue wright in an other Letter to your honours that wee may not want full supploys for our Sowldiers as clothing & what may bee nessery for them that thaire may bee noe Cause of Com-

plaints Amongst us & by the helpe of the Lord wee shall not be wanting to hazard our Liues to the uttermost in this Good Cause wee haue Ingaged vpon, shoold wee wante such nessesereys as are fitting for souldiers as wee are Surcomstanced in a Cowld Country nere the wintere the Enimi Round aboute us it may Cause the Lose of many of our men I hope your honours will Remember the Cry that Did Ecoa the Last winter from Pemequid & ought of the willdernes home to Boston from the poore Sicke & Deying men for Releife the Lord Keepe such Creyes from the Middest of us if I haue Intruded to much vpon your patiance in presenting you with these Lines i was willing in my first to Giue you^r honor a full accopt^t how stood matters heare & for the futer shall Indeaour more Breauety & att present desire to bee Excvsed with my Due Respects I subscrib my selfe your Honou^rs

Humble sarvant

Benjamin Church/

I would not have any Discorigid in that wee Lost soon men i Dowte but they paid fife for one wee Intend to folow them Hoping to have full sattisfaction by thaire vtter Destrvtion which God Grant in his Due time & Giue vs harts to beleue & Trvste in him for the victtory/

22th at night a councill held in order for a march before day in Debating the matter ou^r friend Indians Answered thay ware much Discoreged viz thay say thay finde that which was promised them is not perforemed first not Cloth-ing & othr nessesereys 2^{ly} not finding the men & forses that was promissed to meete here & the enemy being Numeros & very Desparat soe i was frvstrated of what I did in tend & what I shall doe except more fforses bee sent very spedily i know not: Cap^{tt} Willard is not Com here as itt I Have sente a Letter to him But noe Answer from him I Here his men will not Com if I had more men when wee had the fight by Gods blessing wee might have Destroyed the enemy at

once for it is Reported by the Englis Cap^{tt} ife that they had
brought thaire Squass & Children with them

Benjamin Church/

“Thes
To the Honord Simon Brodstret
Esq^r

Gouverner
att Boston
p^rsent”

Letter from Silvanus Davis.

forte Loyall 7^{br}: 26th 1689

8 a Cloke morning

Honor^{ed} S^r

about Tow ouers After my Letter was seald vp a post
Came from Blacke powinte Giues accomp^t that yesterday
about 30 or 40 of the enemy Attacted m^r ffoxwells Garison
att Blwu pwinte Kiled 2 youths that was ought of said Gari-
son fired one house Adjacent & 1 shoолоp & marched of
ou^r Aremy is marched away Aboue them in the woods
in hops to bee Aboue them to finde thaire head quarters.
the maine Bodey of the Enemy is Adjudged to bee neer
ou^r Towne.

This is the present news fromⁿ yo^r Humble

Sarvant Silvanus Davis/

“p^r m^r Jno Trevett
Haste post Haste.”

*Letter from Silvanus Davis.*fforte Loyall 7^{br} 26th 1689 6 morningHonor^{able} Jentellmen

Thes in Humble Submetion/ Com to Aquainte yo^r Honor^s that since Major Church his Laste Letter which Gave an Accompt of the fight wee had heer with the Enemy which was vpon the 21th of this Instant as soon as possable hee Could fitt his men hee marched ought with his Army: in said march he discovred the Indian path (whare it is supposed that the pene Coke Indians did com to Joyne with the Estren Indians in that fight) the English march was from this Towne vp to Amocogen Judging that might bee the Likelest place to meete with the enemy thare they discovred the Indians had bin But not Latly from said place the Army marched Rownd the woods Toward pesumscott falls in hopes to discover which way the enemy did march of After the fight & soe Rownd to the place whare the fight was in the march: it was discovred parte had Gon weste & parte to the estward & whare the fight had bin they found whare the Indians had carried of thaire dead & fownde sevrell things they had scattred as Goon Casses 2 Large feathers such as thay have from the french for thaire Comander to ware as all soe bloodey shorts and Lansses with sevrell othr small Things which Guifs Grate Grownds to beleve that they ware Gratly Damnified in the said march thay fond whare thay had Murgred Cap^{tt} Brackett & Callped him at a distance from the place whare the fight was/ since the fight was thare have died of the woounded men one English man of This Towne & one of the Major's Indians the Rest are in A Likely way to Recover Major Swaine with Major ffroost & Major Swaines Life Gard Came to this Towne 23th of this Instant whare the 2 Comanders had a very Loving Corrospondency to Geather & Conference to order matters for the defence of the Country 25th wensday the Armeý was Drawd vp in order for a march it Raind

much was forst to Log thaire Aremes Late in the After noone post from Blacke pownte that foxwells Garrison at Blewe pwinte was Ingaged all Though it was very Late the Major Church indevored to bee vpon a march toward the Enemi But the wether was soe Bad they Coold not possible Keepe thaire Aremes & Amonetion drey and all soe the night in hand this 25th: Major Swaine with his Comp parted from this Towne for Blacke powinte & soe weste this 26th morning Just now the Army is marching away for the Reliefe of Blu^w pwnte & discovery of the enemy major Church had not time to wright he ordred me to wright to yo^r hono^{rs} hee desirs soom Gides to bee sent him from Boston & all soe 2 or 3 ferkins of Butter/

as all soe other Nesserys for which the Comessery Wrights for/ noe more at present to Troble yo^r Hono^{rs} Desiring the Lord to bee with you in all yo^r ways I subcrib my selfe Jentellmen yo^r most Humble

Sarvant Silvanus Davis/

for to Be sente for Gides }

Jn^o paine

Witt Denis

Jn^o Hornebroke

Jn^o Parker

or the Army must

Ley still & not Goe

else//

Major Church Indens else for Kenibeck Reche & pemequid as soone as he have scowred this Bay:

Letter, Tho. Scottow to Maj^r Benj. Church & others

Scarborough Province of Main September 26th 1689.

Maj^r Benjamⁿ Church

Cap^t Joseph Hall

Cap^t Syllvanus Davis

Gentlemen, By Order of Maj Swain these Come to Acquaint you, That this Morning we had an allarm, from ffoxwells Garrison Since our last Post, who I Suppose gave you

the Newes of the Enimy their Killing two Ladds or Youths then out of the Garrison/ this Morning upon s^d Allarm Maj^r Swain with his Company of horse Rode Up to the s^d Garrison, My selfe with one file of Musquett ~ went up by Water, Upon the Maj^r Coming Up from of the Sand to the Meadow then riding up the River at low water, the Indians fired on them lying behind M^r ffoxwells fence, but they Recieved no Damage, only one horse Shott through the Neck, We forced their Retreat and followed them, unto the next house being one Curbees, where they had Just killed three or four Swine, and had fired the said house, but we Came in Time to Cuench it, they were forced to leave their Baggage or Plunder behind, It is the Maj^rs desire that your self would please to prosecute your Intended March from Nonsuch Point, so to head Black p^t River, and Come on them Undescried, Judging them to Lodge att Dunstance or thereabouts, By Reason of their carrying away Corn & Provisions dayly, Their Number Seen at ffoxwells about forty, Gentlemen This is all at present being Obliged by vertue of Maj^r Commands, craving your Prosperous Undertakings in this Interprize, Subscribe

Nine a Clock at Night

Y^r Humble Servant

Tho: Scottow

Maj^r Church

S^r I Question not but this Enimy may be mett with on the head of our River, if your Self will please to March with Expedition,

T S

“ffor their Majestyes

// Service //

To maj^r Benjamen

Church at ffallmoth

These

p^{'ent}

p Ensinge Jordan/ Q D C”

Written on page 2 of foregoing Letter from Tho: Scottow.

ffallmoth 7^{br} 30th. 1689

S^r

When this poste Came to towne, which was vpon the 27th of this Instant 7^{br} Late in the afternoone Major Church was Gon vp the Bay to North Yarmoth & the Islands & did not Com downe before the 28th. Late in the evening intending with all speede to fitt for a march for Dunston & soe in p^r shute of the enemy But the 29th proved very fowle weather & now at the wrighting hereof the Major is exceeding sicke & all soe sevrell of the officers But Intend a march with all speed possible here is nothing of newes except what is with in spessefied sense our Last Letters

p Order —

thes from yo^r Sarvant Sill Davis

Falmouth 7^{br} 30th 1689

To the Honored Simon Bradstreet

S^r the last motion of the Army was by watter up towards North Yarmouth on ffriday last and returned againe on Saterday at Night, they made no discovery of Indians, they marched pretty hard on Shore at w^{ch} time Major Church took Cold and is now very Ill & hath had a feavor all last night and is this morning under the Operation of a Vomit, w^{ch} I hope may work a good effect. Severall of our men are, also Ill of Colds, fevors, loosness &c, here is great want of Something coumfortable for the Sick, both Cordialls, and other Sutable Nessecaryes w^{ch} wee hope yo^r Honors will Send a Supply of p the next, Something more of warm cloathing is also Expected as Blankets &c of

w^{ch} gave a rude accot p the last, S^r I have not time
 farther to Enlarge but Subscrib my Selfe
 Cap^t Hall & Cap^t Basset Your Honors humble Serv^t
 have been both Ill but I Joseph Prout
 hope are now Somthing
 better

Letter Rachel Whitmore to Gov. Simon Bradstreet.

To the Hon^{ble} Simon Bradstreet Esq^r Govern^r
 and the rest of the Honrd Magistrates now sitting
 in Boston

The humble Petition of Rachell Whitmore wife of John
 Whitmore

Whereas your Petitioners husband was impressed into the
 Countryes Service ag^t the Indian Enemy, and is now with
 Maj^r Swayne at Newechawanick, and your Petition^r and
 her two children are very weake & ill and unable to help
 our selves, and do any thing for our Relief and the rest of
 the family, as severall of the Neighbours can and have in-
 formed yo^r Hono^{rs}

Doth therefore humbly request the favour
 from your Hon^{rs} that her husband John Whit-
 more may be dismissed the present Service, and
 that your Hon^{rs} would please to pass yo^r Order
 for the same that he may returne to his sick
 family and yo^r Petitioner shall as in duty
 bound ever pray &c

Rachel Whitmore/

Letter of Jeremiah Swain to Gov. Bradstreet.

Newechewonock Salmon falls in Barwick

Octob^r 4th 89 att 5 of y^e clock in y^e afternooneHon^{ed} S^{rs}

After y^e tender of my humble Service to yo^r Hon^{rs} these are to acquaint yo^r selues y^t I with a small troope with me consisting of 39 p^{rs}ons taking with me Capt. Willard & Capt. Convers wee advanced toward Casco 17th of Sept. last & upon or march found y^e people att Saco Black point & Blew point in a pore expos'd condition uppon y^e knoledge thereof wee were forc't to divide Capt. Willards into six parts for y^e present & so wee advanced to Casco where we had a relation of w^t w^s done there, an account of w^{ch} yo^r Hon^{rs} wee suppose haue had from Maj^r Church

Then my self with about 35 marched into y^e woods with Maj^r Churches fforces about 18 or 20 miles out & home but could finde none of y^e Enemy, y^e next daye wee receiued a post from Black point, Signifying y^t y^e Garrison att Blew point w^s attact att Mr ffoxwells house where a young man w^s Slayne & a lad taken Captiue, wee came over Casco ferrie in y^e night & ridd to Black point y^e same night, forth with sent a partie of horse to understand their condition att Blewpoint butt could not come att y^m by reason of y^e tides, & y^e cañoes were taken from y^e banks by y^e Enemy as we suppos^d, y^e night before. I therefore tooke a sloop & put a board about 30 men & Sayled up y^e river to see if I could understand their condition, y^e w^{ch} wⁿ Wee understood by advice of y^e Captaines with mee wee all mounted & with much difficulty wⁿ y^e tide Served wee all gott over y^e Rivers but before wee come there about Suñ rise y^e Enemy had attackt y^e Garrison againe being a remote place & weake handed, & wⁿ wee come on Blew point Side wee espied y^e Enemy & perceived y^v had ambusht us, where uppon wee were forc'd to lead o^r horses up y^e bank on y^e marishes for wee had no other waie to moue except wee had gon right back againe y^e w^{ch} by y^e help of God wee resolu'd not to do, upon y^e

marsh, wee mired all o^r horses, broke o^r tackling where y^e Enemy made Shot uppon us & wounded several of o^r horses but thr'u mercy not one of o^r men hurt, & after wee had securd o^r horses under y^e Garrison wee Sallied out after y^e Enemy on foote, y^e ground being disadvantageous to y^e hors, but wee understanding their ambushments beat y^m up made shot att each other a considerable time, & tho' some of o^r men narrowly Escaped yet God so ordered it y^t none of us w^s wounded or hurt, neither do wee know whether any of y^e Enemy w^s hurt, yet there w^s a great outcrie wⁿ y^y called off their men where uppon 'tis supposd some might be hitt y^y mov'd awaie with all Speed, wee followed y^m a mile or two, & tooke from y^m 48 Sheepe a liue, 4 dead swine, found a pore mans house on fire where all his corne w^s, wee put out y^e fire Sav'd his corne & returnd to y^e Garrison, & found y^e lad w^{ch} w^s slayne, & brought him thither, & procured part of Capt. Willards men to Strenthen y^e Garrison w^{ch} w^s by y^e consent of Maj^r Church before wee come from Casco. yⁿ attending y^e tide wee rid in y^e night to Saco & Strenthned their Garrisons & so return'd to o^r head quart's y^e 28 Sept: in y^e night where I received an account of y^e officers of y^e several companies of their Scouting gathering of corne bringing in haye &c. & yⁿ sent out such of o^r men as had cloathing about 120 Capt: Gardner with 40 to Oister River Lieu^t fflag with 30 to Wenipeseokee: & about 30 of Capt. Convers & about 30 of Capt: Wiswall to Bonniveage Pond w^{ch} stayd out 3 dayes & 2 nights but could finde none of y^e Enemy nor where y^y had lately binn, I should haue told yo^r Hon^{rs} before y^t there w^s about 50 or 60 Indians y^t ingaged us att ffoxwells Garrison.

This very hour I received advice from Capt Willard y^t two of his men & a Garrison soldier w^s surprised by y^e Enemy att Saco, his two men are found dead & y^e other lost, y^y were all three fetching up a fatt beast within sight of

y^e Garrison but on y^e contrary side of y^e river, y^e Indians call'd to y^e Garrison told y^m y^t y^y would goe up to y^e falls & burne y^e mills & y^e fort, Soone after y^y Saw great fires y^t waye, wee intend to make out after y^m, this is y^e su^m of y^e newes att present, M^r Benj. Backworth is come into y^e river y^e Co^mmissory has received his invoice, by w^{ch} wee perceiue y^t we shall stand in great need of more Shooes & Stockins & all Sorts of Cloathes & three or four peeces duffalls because y^e English as well as y^e Indians desire blankits to lie in, in y^e woods wee haue great neede of a Chyrurgeon for many of o^r Soldiers are out of order, by reason of lameness Sickness &c. Except you haue provided other waise wee judge Lieut^t Prescott of Conchord to be a very meet person & willing to come, you promised to send us up a minister but none co^ming wee procured M^r Jun^o Emerson who has bin helpfull to us ever since wee come up & are sattisfyed in his help so y^t you neede not trouble yo^r selues to send a nother Wee haue had a great deale of trouble in setling of Garrisons by reason of y^e refractoriness of some persons too large here to giue yo^r Hon^{rs} a particular account of. Sudden business coming upon us Wee Craue yo^r Hon^{rs} pardon for breaking of so abruptly desiring yo^r prayers att all times I rest yo^r Hon^{rs} most humble

Servant att co^mand

Jer: Sweyne/

“ For

The honrd Symond Broad
street Esq^r Govern^r of y^e
Colony of y^e Massathusets
& Councill

Hast Post hast.

Memorandum.

duffals 4 peices two peices of Red Cotten 20 axes 30 hatchets more shoos & stockins and all sorts of Cloaths for our men are almost naked: more Rhum to be Used about persons y^t are Ill, to be applyed Externaly & Internaly 60 men to keep Garreson at black & blew point Salco and winter harbor & wells y^t Cap Willards men may be released, for he is much wanted, If he be drawn off those places must be thrown away.

Chees is convenyent to Carry into y^e woods: lether for Indian Shoos. pray let this be minded.

Jer Sweyne/

Some men are Sick & lame some released by yow selues Some were wanting from y^e first Coming out our companyes are very lame to march to y^e head quarters If we can have where y^v be pray lett vs haue a supply to fill vp our Companyes

Jer Sweyne

pray send a few shoe nails

Letter from Maj^r. Benj. Church.

Octob^r 7th 1689 ffallmoth

Honor^{able} Gentellmen

Thes Com to Aquainte yo^r Hono^rs that sense my Laste sent to you I Have bin Scowting Both este & Weste: but Cannot make Discovery of Any Boddy of the enemy only soom few sevlkin Roges which wee Cannot meete by any means: I Judge the Boddey is Gon este which I cannot folow) for wante of Gides here Are none that Are Aquainted to the estward of Casco Bay Tharefore ou^r Armye is quite Discorided both Engles espeshiall the Indians first yo^r not sending more forsses according to promis & all soe Able pilots for the

woods that wee may march vp Ammorogon Riuer & Kenibecke Riuer other ways we shall bee wholly frestrated all soe wee suffer exceedingly for wante of clothing & all nessecerys if full suploys Com not with all speede wee shall be forst to draw of for I Cannot Bare the Complaints that Are dayly made to mee for wante of thoes nesserys that shoold bee provided for them: wee wante an other able Doc-tter to bee sente & All soe soom medesonns for sicke & woonded men. pray bee plesed to Consider the straights & nessecetys that wee are at for wante of such suploys that may bee had in the Cowntry if thare was Care to send it which if speedy Corse bee not Taken to send a full suploy the Country i mene thes parts will bee whooly dissarted I doe Admire here have bin noe vessell from yo^r Hono^rs before this time. Gruefs Grate Caus to suspect that wee Are all to geather slitted bee pleased to Consider the p^rmisses: as to Give you an acce^t of my prooseedings I Have bin marching dayly toward Saco west & vp the Bay est as far as North yarmouth & Hunted about the Islands & am now sending a vessell to the estward vpon discovery my selfe am Intended a march to the westward if by Any means wee may discover the ways of the enemy& when discovered shall Indever to folow them provided wee may have such nessecerys that men may bee Incoridged & that Thees dayly Complaints that are amongst vs for want of Reelife may bee prevented it will bee my Grate Griefe if I shoold bee Disapoynted & Disarted Through wants that I Cannot Doe that sarvice for The Country as I shoold Gladly

Doe, but I shall Indevor To Discharge my Duty: the Inhabitance Here Are Redy to Assist to thaire power but alass poore people thaire Longe Keeping Garison have quite wore them ought:

Gentell men pray Consider my Condetion & the Greefe i am in to heere dayly Complaints made to mee by the poore souldiers Crying ought thay shall bee starved for want of Clothing & Loging Through wants: ou^r men are dayly Taken sicke m^r prowte Gruefs yo^r Hono^rs a pertecvler acc^op^t of what to bee sent thare fore i only wrighte in Jenerall espeshiall for Gides a docto^r & medesons for sicke & wonded men i mene Good Cordialls & Inwards Comforts Hoping to Receve full suploys to Answer the premeesses I Take Leve To subscrib my selfe yo^r Hono^rs

Humble Sarvant

Benjamin Church/

Sill Davis as Bownd in Duty

presents his Humble sarvis

To Yo^r Honou^rs//

In answ^r to the Motion & request of Nath^l Hancock & Ri: Dana of Cambr, that some releife might be afforded them as to the Servant of the one, & Sonn of the other that have been many weeks Garrison Soldijers, The Co^mittee of the Militia for y^e Town are ordered to send some other meet persons in their room & stead, that they may be orderly released./

Petition of John Loder.

To the Hono^d Gov^r and Council
and Representatives sitting in Boston

The Humble petition of John Loder of Charlestown,
Sheweth

That yo^r Petition^r being impressed into the Countries service in the late Expedition to the Eastward against the Indians & his condition and Employment being such, that his personal attendance upon that Service would have been his utter ruine, in compliance with the then necessity of affaires, and that his Example might encourage others, yo^r Petition^r took care to provide a man to serve in his room, whose name was W^m Fletcher, who was compleatly fitted, with clothes, fire Arms & Ammunition at yo^r Petition^{rs} charge, besides a Sum of money paid him by yo^r Petition^r. And forasmuch as the said W^m Fletcher dyed in his return from the said service, Yo^r Petition^r cannot recover either Arms or clothes, and the Committee refuse to grant him order for his wages, because his Cap^t James Convers had granted a Certificate before (this now granted to yo^r Petition^r) to the said Fletcher upon his return home, w^{ch} (he dying in the Province of New Hampshire) yo^r Petition^r cannot procure./

Yo^r Petition^r therefore Humbly prays yo^r Hon-
o^{rs} to consider the p^rmises, and to issue out such orders as may relieve yo^r Petition^r, that he may receive what wages are justly due to him, and may have due recompence for the loss of his Arms./

And yo^r Petition^r shall ever pray &c.

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